

SLIGO BOROUGH ELECTION.



MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

SLIGO BOROUGH ELECTION PETITION;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE.

(1853.)

*Ordered, by The House of Commons, to be Printed,
10 June 1853.*

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Jovis, 26^a die Maii, 1853.

NAMES of the Members of the Select Committee appointed to try and determine the matter of the Petition complaining of an undue Election and Return for the Borough of Sligo:

Charles Hindley, Esq.
Sir Edmund Filmer, Bart.

Hon. William Henry Berkeley Portman.
William John Evelyn, Esq.

Chairman, EDWARD DIVETT, Esq.

Veneris, 27^a die Maii, 1853.

Ordered, That the Petition relative to the said Election be referred to the Committee.

Ordered, That the said Committee do meet To-morrow, at Eleven o'clock, in one of the Committee-rooms of the House.

PROCEEDINGS OF THE COMMITTEE.

Sabbati, 28^a die Maii, 1853.

Names of Members called over; all present.

The Committee agreed to the following Resolutions:—

"That Counsel will not be allowed to go into matters not referred to in their opening statement, without a special application to the Committee for permission to do so.

"That if costs be demanded by either party, under the 11 & 12 Vict. c. 98, the question must be raised immediately after the decision on that particular case, unless the Committee shall decide otherwise.

"That the Committee expect that, with respect to cases of bribery which it is intended to bring home to the Sitting Member, or his agents, the Counsel for the Petitioners will now state the names of the electors bribed, and those of the persons who actually gave the bribes.

"The Committee, however, reserve to themselves a power, upon the special application of Counsel, to proceed with any case which tends to inculcate any principal or agent, the knowledge of which case has been brought out before the Committee in the progress of the investigation, and of the circumstances of which the parties could not be reasonably supposed to have been previously cognizant.

"That with respect to treating, the Committee will expect Counsel to state the times and places where such treating is alleged to have taken place.

"The Committee, however, reserve to themselves a discretionary power, as in cases of bribery.

"That no person shall be examined as a witness who shall have been in the room during any of the proceedings (with the exception of the Agents, whose names shall be handed in,) without special leave of the Committee."

Petition of *John Patrick Somers*, complaining of an undue Election and Return for the Borough of Sligo, read.

Counsel for the Petitioner, Mr. *Edwin James*, Mr. *Temple*, Mr. *Jones*.

Agents, Messrs. *Law, Holmes & Co.*, *Robert Peyton Graham*, Solicitor, *Lawrence McTernan*, Solicitor, *Martin Kilbride*.

Counsel for the Sitting Member, Mr. *Serjeant Kinglake*, Mr. *Slade*, Mr. *Huddleston*, Mr. *Stowor*.

Agents, Mr. *Coppock*, Messrs. *Gethin & Walker*.

The Short-hand writer was sworn by the Chairman.

Mr. *James* opened the case on the part of the Petitioners.

In the course of Mr. *James's* speech Mr. *Serjeant Kinglake* objected to Mr. *James* being allowed to go into transactions of 1848.

Mr. *James* was heard in answer to the objection.

The Committee decided that Mr. *James* was entitled to go into the transactions of 1848.

James Richard Naylor called, sworn, and examined by *Mr. Temple*.

Cross-examined by *Mr. Slade*.

Produced Writ and Return of the last election.

Christopher Fitzsimon called, sworn, and examined by *Mr. Temple*.

Cross-examined by *Mr. Slade*.

Produced three Poll-books of last election.

Jeremiah Joyce O'Donovan called, sworn, and examined by *Mr. Temple*.

Upon *Mr. Temple* producing a letter from *Mr. Stonor*, *Mr. Slade* objected to the letter being read.

Mr. James was heard in answer to the objection.

Mr. Slade was heard in reply.

The Committee decided that the letter might not be read in the present course of the proceedings.

J. J. O'Donovan, further examined by *Mr. Temple*.

Upon *Mr. Temple* proposing to put in a letter from *Mr. Stonor*, before objected to by *Mr. Slade*, *Mr. Slade* objected that *Mr. Stonor's* agency in 1852 was not sufficiently proved before the Committee to entitle the Counsel conducting the case on the part of the Petitioner to bring before the Committee the declarations, acts, and letters of *Mr. Stonor*.

Mr. Temple was heard in answer to the objection.

Mr. Slade was heard in reply.

Room cleared.

Committee deliberated.

Motion made, and question put, "That the Committee require further proof of the agency of *Mr. Stonor*."

Ayes, 4.
Mr. Hindley.
Sir E. Filmer.
Hon. W. H. B. Portman.
Mr. Evelyn.

Noes, 1.
Mr. Divett.

Resolved, "That the Committee require further proof of the agency of *Mr. Stonor*."

Parties called in and informed of the decision of the Committee.

Robert Peyton Graham called, sworn, and examined by *Mr. Temple*.

Mr. Temple submitted to the Committee that he had now sufficiently proved the agency of *Mr. Stonor*.

Mr. Serjeant Kinglake was heard in answer.

The Committee stated that they wished the Counsel for the Petitioner to produce all the evidence they were enabled, to prove the agency of *Mr. Stonor*.

Martin Kilbride called, sworn and examined by *Mr. Jones*.

J. J. O'Donovan recalled, and further examined by *Mr. Temple*.

George Leach called, sworn, and examined by *Mr. Jones*.

Cross-examined by *Mr. Serjeant Kinglake*.

Mr. Temple submitted that sufficient proof had now been given of the agency of *Mr. Stonor*.

Room cleared.

Committee deliberated, and decided "That the Committee require further proof of the agency of *Mr. Stonor*."

Parties called in and informed of the decision of the Committee.

Mr. Temple stated that he would abandon this part of the case for the present.

J. J. O'Donovan recalled, and further examined by *Mr. Temple*.

Cross-examined by *Mr. Serjeant Kinglake*.

John Patrick Sowers called, sworn, and examined by *Mr. Jones*.

Cross-examined by *Mr. Serjeant Kinglake*.

[Adjourned till Monday, at Twelve.

Luna, 30^a die Maii, 1853.

Members all present.

Lawrence M' Ternan called, sworn, and examined by *Mr. Jones*.
Cross-examined by *Mr. Slade*.

Winnifred O'Brien called, sworn, and examined by *Jones*.

Patrick O'Brien called, sworn, and examined by *Mr. Jones*.

Thomas O'Connor called, sworn, and examined by *Mr. Temple*.
Cross-examined by *Mr. Slade*.

Michael Somers called, sworn, and examined by *Mr. Jones*.
Cross-examined by *Mr. Slade*.

Robert Peyton Graham called, sworn, and examined by *Mr. Jones*.
Cross-examined by *Mr. Slade*.

[Adjourned till To-morrow, at Twelve.

Martis, 31^a die Maii, 1853.

Members all present.

Patrick O'Dowd called, sworn, and examined by *Mr. Temple*.
Cross-examined by *Mr. Slade*.

James Cawley called, sworn, and examined by *Mr. Temple*.
Cross-examined by *Mr. Serjeant Kinglake*.

Matthew Feeney called, sworn, and examined by *Mr. Jones*.
Cross-examined by *Mr. Serjeant Kinglake*.

Edward Brennan called, sworn, and examined by *Mr. Temple*.

Bryon Drum called, sworn, and examined by *Mr. Jones*.
Cross-examined by *Mr. Serjeant Kinglake*.

Robert Peyton Graham called, sworn, and examined by *Mr. Jones*.
Cross-examined by *Mr. Serjeant Kinglake*.
Further examined by *Mr. Temple*.

John Patrick Somers called, sworn, and examined by *Mr. Jones*.

Michael Somers called, sworn, and examined by *Mr. Jones*.

Upon the question being put, "What eating and drinking was going on there?"

Mr. Slade objected to the question.

Mr. Jones was heard in answer to the objection.

Mr. Slade was heard in reply.

Room cleared.

Committee deliberated, and decided "That the question may be put."

Parties called in and informed of the above decision.

Michael Somers recalled, and further examined by *Mr. Temple*.
Cross-examined by *Mr. Slade*, and further examined by *Mr. Jones*.

[Adjourned till To-morrow, at Twelve.

Mercurii, 1^o die Junii, 1853.

Members all present.

Mr. Temple stated that he had now closed the case on the part of the Petitioner, and summed up the case.

[Adjourned till To-morrow, at Eleven.

Jovis, 2^a die Junii, 1853.

Members all present.

Mr. Serjeant *Kinglake* addressed the Committee on the part of the Sitting Member.

James Coffey called, sworn, and examined by Mr. *Slade*.

Cross-examined by Mr. *James*.

William Allen called, sworn, and examined by Mr. *Slade*.

Cross-examined by Mr. *Jones*.

Charles Towneley, Esq. called, sworn, and examined by Mr. *Slade*.

Cross-examined by Mr. *James*.

Upon the question being put by Mr. *James*, in cross-examination, "Did you dispense money at a prior election?"

Mr. *Slade* objected to the question, and submitted that Mr. *James* was not entitled to cross-examine Mr. *Towneley* with regard to his connexion with Mr. *Stonor* in the election of 1848.

Mr. *James* was heard in answer to the objection.

Mr. *Slade* was heard in reply.

Room cleared.

Committee deliberated.

Motion made, and question put, "That the question may be put."

Committee divided:

Ayes, 3.	Noes, 2.
Sir Edmund Filmer.	Mr. Hindley.
Hon. W. H. B. Portman.	Mr. Evelyn.
Mr. Divett.	

Resolved, "That the question may be put."

Parties called in and informed of the above Resolution.

Charles Towneley re-called, and further cross-examined by Mr. *James*.

Re-examined by Mr. *Slade*.

Michael Gethin, called, sworn, and examined by Mr. *Huddleston*.

Cross-examined by Mr. *Jones* and Mr. *James*.

[Adjourned till To-morrow, at Twelve.

Veneris, 3^a die Junii, 1853.

Members all present.

Mr. *Slade* summed up the case on the part of the Sitting Member.

Mr. *James* addressed the Committee in reply on the part of the Petitioner.

Room cleared.

Committee deliberated.

Motion made, and question put, "That *Charles Towneley, Esq.*, is duly elected a Burgess to serve in this present Parliament for the Borough of *Sligo*."

Committee divided:

Ayes, 2.	Noes, 3.
Mr. Hindley.	Sir E. Filmer.
Mr. Evelyn.	Hon. W. H. B. Portman.
	Mr. Divett.

Resolved, 1. "That *Charles Towneley, Esq.*, is not duly elected a Burgess to serve in this present Parliament for the Borough of *Sligo*."

Resolved, 2. "That the last election for the said Borough is a void election."

Motion

Motion made, and question put, "That the said Charles Towneley was, by his agents, guilty of bribery and treating at the last election for the Borough of Sligo."

Committee divided :

Ayes, 3.
Sir E. Filmer,
Hon. W. H. B. Portman.
Mr. Divett.

Noes, 2.
Mr. Hindley.
Mr. Evelyn.

Resolved, 3. "That the said Charles Towneley, was, by his agents, guilty of bribery and treating at the last election for the Borough of Sligo."

Motion made, and question put, "That Jeremiah Joyce O'Donovan, an alderman of the borough of Sligo, was bribed by Henry Stonor by the promise of payment of 103 *l.*, being a portion of an outstanding election account, to forbear giving his vote, which he had promised to Mr. Somers, and in consequence absented himself during the election."

Committee divided :

Ayes, 3.
Sir E. Filmer,
Hon. W. H. B. Portman.
Mr. Divett.

Noes, 2.
Mr. Hindley.
Mr. Evelyn.

Resolved, 4. "That Jeremiah O'Donovan, an alderman of the borough of Sligo, was bribed by Henry Stonor by the promise of payment of 103 *l.*, being a portion of an outstanding election account, to forbear giving his vote, which he had promised to Mr. Somers, and in consequence absented himself during the election."

Resolved, 5. "That it was not proved that the acts of bribery and treating were committed with the knowledge and consent of the said Charles Towneley."

Motion made, and question proposed (Mr. Divett), "That the influence of the Roman-catholic priests was exercised in a manner inconsistent with their duty as ministers of religion, and destructive of freedom of choice on the part of the voters."

Amendment proposed (Mr. Evelyn), "To leave out from the word 'That,' to end of the question, for the purpose of adding the following words, 'An undue interference was exercised in the affairs of the Sligo election by some Roman-catholic clergyman, but that no proof has been given of an organized system of intimidation.'"

Question put, "That the words proposed to be left out stand part of the question."

Committee divided :

Noes, 2.
Mr. Hindley.
Mr. Evelyn.

Ayes, 3.
Sir E. Filmer.
Hon. W. H. B. Portman.
Mr. Divett.

Resolved, 6. "That the influence of the Roman-catholic priests was exercised in a manner inconsistent with their duty as ministers of religion, and destructive of freedom of choice on the part of the voters."

Parties called in and informed of the above Resolutions.

Mr. Slade stated that he was entitled to go into the case of recrimination.

Mr. James objected to the case of recrimination being gone into.

Room cleared.

Committee deliberated.

[Adjourned till To-morrow, at Eleven.

Sabbati, 4^a die Junii, 1853.

Members all present.

The Committee stated, "That they are prepared to hear any objections that may be urged by the Counsel for the Petitioner against the application made on behalf of the Sitting Member to give recriminatory evidence."

Mr. Slade stated that he withdrew his application.

Ordered, To Report the Resolutions of the Committee to The House.

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MINUTES OF EVIDENCE.

Sabbati, 28^a die Maii, 1853.

MEMBERS PRESENT.

Mr. Divett.
Mr. Hindley.
Sir Edmund Filmer.

Hon. W. H. Berkeley Portman.
Mr. W. J. Evelyn.

EDWARD DIVETT, Esq., IN THE CHAIR.

THE Petition of John Patrick Somers, Esq., was read.

Mr. *Edwin James*, Mr. *Temple*, and Mr. *Jones*, appeared as Counsel in support of the Petition.

28 May 1853.

Agents, Messrs. *Law, Holmes & Co.*

Mr. Serjeant *Kinglake*, Mr. *Slade*, Mr. *Huddleston*, and Mr. *Stonor* appeared as Counsel on behalf of the Sitting Member.

Agent, Mr. *Coppock*.

Mr. *Edwin James* opened the case on the part of the Petitioner, and stated that he abandoned the scrutiny.

In the course of Mr. James's speech,

Mr. Serjeant *Kinglake* objected to the learned Counsel going into transactions connected with the election of 1848.

The *Chairman* asked whether Counsel for the Petitioner proposed, with reference to proving the agency, to show that a constant correspondence was kept up for the purpose of operating on the borough between the years 1848 and 1852?

Mr. *Edwin James* replied in the affirmative.

The *Committee* decided that Mr. *James* was entitled to proceed.

Lists of places where the Petitioner charged treating to have taken place, and the times when treating took place; also of persons said to have been bribed, and of the places where treating was alleged to have taken place.

Mr. *James Richard Naylor*, sworn; Examined by Mr. *Temple*.

1. WHAT do you produce?—The Writ, Precept and Return of the Borough of Sligo at the general election of 1852. By the Act of Union, all these returns are sent from the sheriff or returning officer to the Crown Office in Ireland, and are directed by that Act to be sent to the Crown Office in England, and returned to the House of Commons in the usual way.

Mr. J. R. Naylor.

[The Witness withdrew.

Mr. Christopher Fitzsimon, sworn; Examined by Mr. Temple.

Mr. C. Fitzsimon.

2. WHAT do you produce?—I produce the Poll-books for the last election of the borough of Sligo, received in my office on the 16th July 1852.

28 May 1853.

Cross-examined by Mr. Slade.

3. Is there any endorsement on these books?—Yes.
4. By the sheriff?—There is my endorsement.
5. Are they signed by the candidates?—They do not appear to be so.
6. Is there any notice of the reason why they were not signed?—I have not examined the books at all; I find this: "The oaths required by the statute in respect to the taking of voters for the election of the Member to serve in Parliament for the borough, were duly administered to me;" that is, the mayor.
7. Turn to any of the other books?—What do you wish me to look for?
8. To ascertain if there is any reason why they do not bear the signatures of the candidates?—I do not believe these books require the signatures of the candidates; the candidates are called upon to seal the books, but they are not obliged to do so before they are transmitted to me.
9. Does either of these books bear the certificate of the returning officer?—Yes; "I certify the foregoing numbers are correct; that is to say, 42 votes for Mr. Somers, and 56 for Mr. Towneley; dated this 6th day of July 1852; Richard Smith" (I think it is) "deputy;" and countersigned, "Verdon, Mayor."
10. Turn to the other book?—"I certify the foregoing numbers;" just the same as before.
11. Now look at the other book?—"I certify the foregoing numbers are correct; that is to say, 39 for Mr. Somers, and 58 for Mr. Towneley, 15th July 1852; Patrick McNeill, Deputy," and "E. H. Verdon, Mayor."
12. Is that all they profess to bear upon them?—That is all I find; I have not looked at them before; there is also a certificate of the oaths having been taken by the deputies.
13. Further than the receipt of these books, you know nothing of their being the very poll-books or not?—No; I received them all by post, accompanied by a letter.
14. Have you got the letter?—No.
15. What has become of it?—I do not keep those letters; I take them to be a notification to me of the poll-books coming; when the poll-books come and I have ascertained them to be correct, I do not care about the letters.

Re-examined by Mr. Temple.

16. Was that letter destroyed?—Yes.
17. Was that a letter from the sheriff?—Yes.
18. Accompanying the books?—Not accompanying the books, but announcing to me that the books were coming.
19. *Mr. Slade.*] There was no letter accompanying the books?—No; they all came by post.
20. *Mr. Temple.*] You received a letter, as I understand, from the mayor, announcing the arrival of these books?—Yes; a despatch through the post-office of the poll-books of the borough of Sligo.
21. Did those books come by the post-office?—Yes.
22. Did any other books come from Sligo?—No; all the books, throughout Ireland, came to me in the same way.
23. Did any other books, in accordance with the announcement of the sheriff, come to you with regard to Sligo?—No; not with respect to the borough.
24. *Mr. Slade.*] Who was the sheriff from whom you had the letter?—I do not recollect his name; I distinctly recollect a letter coming from the sheriff.

Mr. Slade objected that the requirement of the Act of Parliament had not been complied with, inasmuch as neither of the books appeared to have the seal of the candidates, nor the endorsement of the returning officer of the neglect or refusal of the candidates.

Examined by the Committee.

25. Are all the poll-books throughout Ireland sent to you in the same way?—Yes. The city of Dublin, the county of Dublin, and the University of Dublin, being

being on the spot where the Hanaper Office is situated, they are handed in, but in every other instance they are sent by the post.

26. In the same way that you received these books?—Yes; and they have been kept in my custody ever since.

27. *Mr. Slade.*] Unsealed?—They came sealed in a parcel; I am obliged to break the seal, because the public are allowed to inspect these books.

28. *Committee.*] Those are the identical books you received?—They are the identical books I received from the returning officer of Sligo.

[The Witness withdrew.

The *Chairman* intimated the *Committee* were of opinion that the Poll-books were sufficiently identified.

The Poll-books were then put in.

Jeremiah Joyce O'Donovan, Esq., sworn; Examined by Mr. Temple.

29. I BELIEVE you are an Alderman of the borough of Sligo?—Yes.

30. At the general election in 1847, was the petitioner, Mr. Somers, returned the Member for the borough of Sligo?—Yes.

31. I believe a petition against his return was presented?—Yes.

32. Was that petition principally got up and prosecuted by yourself, Mr. James Tighe and Mr. Hart?—I took a very active part in it.

33. Was the party petitioning a person named Terence Foley?—Yes.

34. Were the funds to prosecute it furnished by Mr. Towneley, the present Sitting Member?—I cannot well answer that question.

35. Where did you get them from?—They did not come out of my pocket.

36. *Committee.*] Who gave them to you?—On my oath, I cannot say.

37. Do you mean to say that you received money, and cannot tell from whom it came?—No, I did not receive any money from Mr. Towneley.

38. *Mr. Temple.*] From whose hands did you receive that money?—I had no handling of cash in the matter.

39. Had you no funds to prosecute it?—No funds.

40. Were the funds to prosecute that petition against Mr. Somers paid to the agent who conducted it?—Nobody called on me for money.

41. You mean to say that you had nothing to do with the money?—Nothing.

42. *Mr. Temple.*] What was Terence Foley, the petitioner?—Terence Foley was the petitioner.

43. In what capacity of life was he?—He was a man in humble circumstances.

44. Was he a pauper almost?—No.

45. Do you suppose he could have paid a shilling of those expenses?—He was a respectable man in an humble rank of life.

46. He was a poor man, not at all likely to contribute to the expense of that petition?—Terence Foley would not pay a shilling of it.

47. Perhaps he could not?—He could not.

48. *Mr. Slade.*] Are you sure that Terence Foley was petitioner?—I know that Terence Foley was a petitioner; there were two or three petitions got up at that time; I am speaking from my recollection; I believe that Terence Foley was a petitioner on that occasion. The occurrence is five years ago.

49. Did the petition come on to be tried in 1848?—Yes.

50. Was the result of it that Mr. Somers was unseated in respect of qualification?—Yes.

51. Did an election soon afterwards take place in the borough, in the year 1848?—Yes, in April 1848, I think.

52. Did Mr. Towneley make his first appearance in the borough of Sligo at that election?—Yes; Mr. Towneley, I think, came into Sligo on the 7th or 8th of April 1848.

53. Was he accompanied by Mr. Stonor?—Yes.

54. Did Mr. Stonor know anything about the borough before?—Yes; Mr. Stonor paid a visit previously.

55. Did Mr. Stonor bring and introduce Mr. Towneley to the borough?—Yes.

56. Did Mr. Stonor take an active part in canvassing for Mr. Towneley at that election?—He did.

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57. Did Mr. Stonor appear with Mr. Towneley at that election, and address the people on his behalf?—He did.

58. Mr. Towneley, I believe, was returned at that election?—He was.

59. Was a petition against the return of Mr. Towneley presented?—Yes.

60. On behalf of Mr. Somers?—On behalf of Mr. Somers.

61. Did that petition come on for trial in the summer of 1848?—Yes.

62. Was the result of that petition that Mr. Towneley was unseated, and the election declared void on the ground of treating?—Yes.

63. I believe a new writ was issued, and the election took place in the month of July 1848?—Yes.

64. There were other candidates, I believe, as well as Mr. Somers?—There were Mr. Ball and Mr. Hartley.

65. Was Mr. Somers returned?—Mr. Somers was returned.

66. And I believe Mr. Somers retained his seat; there were no proceedings against him, and he sat during that Parliament?—Yes.

67. During those contests; namely, the contests in 1848, were Mr. Tighe and Mr. Hart active supporters of Mr. Towneley?—Yes.

68. Were they seen and known by Mr. Towneley, as being acting zealously on his behalf?—Yes.

69. I believe you also were an active supporter of them?—Yes.

70. Was there a petition against Mr. Somers, after his return in 1848?—I think there was one got up, which was abandoned?—It was abandoned.

71. During the election of 1848, had you very much the conduct of it on behalf of Mr. Towneley?—I took a very active part.

72. And, I believe, expended sums of money to some considerable extent on behalf of Mr. Towneley's interest?—I am out of cash at the present time.

73. About what amount did you expend for Mr. Towneley?—£. 103 I am out of pocket.

74. What did you actually expend?—There was a good deal of money spent.

Mr. *Slade* submitted to the Committee, whether the petitioners were entitled to go into the expenditure at the election of 1848.

The *Chairman* intimated that the question should be confined, in general terms, to the fact that there was an unsettled balance.

75. Mr. *Temple*.] Then, I understand that up to this time there is that unsettled balance?—Yes.

76. Did a correspondence take place between you and Mr. Stonor, and Mr. Towneley, on the subject of the balance which you claimed?—Yes, I repeatedly wrote for it.

77. Are you acquainted with Mr. Stonor's handwriting?—Yes.

78. In the course of those transactions, you would become well acquainted with his handwriting?—Yes.

79. Is that letter, dated the 3d of August 1848, in Mr. Stonor's handwriting—(*handing a Letter to the Witness*)?—Yes.

Mr. *Slade* objected that the above letter, dated the 3d August 1848, could not be read, until it was shown that Mr. Stonor was the agent with respect to the election in question.

Mr. *James* was heard in answer to the objection.

Mr. *Slade* was heard in reply.

80. *Committee*.] Was Mr. Stonor acting with Mr. Towneley at the last election of the borough of Sligo?—I do not know; I was not in Sligo at the last election.

The *Chairman* stated that there was not sufficient evidence at present to justify the reading of the letter.

81. Mr. *Temple*.] After 1848, down to a recent period, was there still a balance which you claimed of Mr. Towneley, in respect of that expenditure?—Yes.

82. You are acquainted with Mr. Towneley's handwriting, I presume?—Yes.

83. Did you in May 1852 write to Mr. Towneley with respect to your claim?—I am sure I did.

84. Look at that letter (*handing a Letter to the Witness*);—is that Mr. Towneley's handwriting?—Yes.

85. You know his handwriting?—Yes. [*The Letter above referred to was dated May 22, 1852.*]

J. J. O'Donovan,
Esq.

Mr. Temple called for a letter from the Witness to Mr. Towneley.

Mr. Slade stated that the agents for the Sitting Member had not got such a letter.

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86. *Committee.*] Did you communicate with Mr. Towneley or with Mr. Stonor relative to a debt due to you, after 1848?—Yes.

87. Several times?—I frequently wrote to Mr. Towneley for the balance.

[*The Letter above referred to was read, as follows:*]

Dear Sir,

12, Charles-street, Berkeley-square, 22 May 1852.

I REGRET that at the present moment it is impossible for me to enter upon the subject of your letter.

I remain, yours faithfully,
Charles Towneley.

88. Mr. Temple.] What was that letter?—Applying for the money due to me.

89. In that letter, did you mention to Mr. Towneley having had communications with Mr. Stonor on the subject?—No, I do not think I did.

90. In your letter to Mr. Towneley, did you refer to the application you had made to Mr. Stonor?—

Mr. Slade objected that the learned Counsel was not entitled to put leading questions to the witness.

The Committee allowed the objection.

91. Mr. Temple.] Will you tell me whether in your letter you referred to any communications with any other person on the subject of your claim?—No; when I wrote to Mr. Towneley, I called upon him to pay me my money.

92. Did you refer to any other person who had acted as his agent?—I am sure I wrote yearly for three or four years after the election, several times to Mr. Stonor, and I had letters from him; but I do not know what has become of those letters.

93. In 1852, did the letter, to which the letter which has been read is an answer, refer to Mr. Stonor at all?—I cannot say.

94. Did that letter refer in any way to previous communications which had been made with Mr. Stonor, or with any other person?—Not in that letter; in each letter, I called upon Mr. Towneley to pay me my money, as a gentleman and a man of honour, and he has never done it.

95. That letter from Mr. Towneley to you, you say, was in answer to an application to him for the claim of a balance?—Yes.

96. Was the claim, in respect of that balance which had been incurred, with Mr. Stonor's knowledge?—I would say that Mr. Stonor was aware of all the expenses in the election of 1848, because immediately the election terminated, Mr. Stonor, Mr. Tighe, Mr. Hart, Mr. Foley and others, assembled in my drawing-room; and Mr. Stonor struck out the probable sum that remained to pay porters and other parties, who were the mob of the town, and he struck out 491 *l.* at that time.

97. He taxed the account which you produced?—Yes; and Mr. Stonor said he would remit it, and it was remitted.

98. Was it in reference to all, that you wrote the letter which brought back the answer from Mr. Towneley?—I would not say that at that time there was any money due to me. I was pressed and pressed, and law proceedings came upon me.

99. Were there claims made upon you by other parties in respect of that election?—Yes; to one man there was 14 *l.* due, who had treating orders, and he took proceedings, and two records came down against me.

100. During the last election, did you see Mr. Stonor at all?—I was not in Sligo at the time.

101. Preparatory to the last election, did you see Mr. Stonor at all?—I did, at a meeting at the hotel I saw Mr. Stonor address the people.

102. Was Mr. Towneley there at the time?—No.

103. Mr. Slade.] In what year was this?—Previously to the last election. It was, I will say, in the spring of last year.

600.

A 3

104. Mr.

J. J. O'Donovan,
Esq.

28 May 1853.

104. Mr. Temple.] On whose behalf did he address the people?—He extolled Mr. Towneley, on behalf of Mr. Towneley, saying that he was a fit and proper person to represent them.

105. Was it not during the canvassing and the advocating of Mr. Towneley's interest for the election which was about to take place, that you saw him?—A dissolution was expected, and Mr. Stonor, I would say, came down to prepare the way for Mr. Towneley.

106. Committee.] Is Mr. Stonor an elector?—No.

107. Mr. Temple.] He himself, that would have no political interest at all in respect of the borough, except on account of his friend, Mr. Towneley?—I do not know anything about that; but Mr. Stonor came down there and harangued the people for Mr. Towneley.

[The following Letter was put in, and read:]

My dear Alderman, 4, New Boswell-Court, 3 August 1848.
I HAVE been through the accounts which you sent me, carefully, with Mr. Towneley's solicitor, and have seen Mr. Towneley upon them to-day. You claim a balance of 263*l.*, as having been expended by you, or for which you are liable on Mr. Towneley's account, at and since his election in April, over and above the sums which I paid you at Sligo, and which I have remitted to you, Mr. Hart and Mr. Tighe since, according to the final settlement which I came to with you and those gentlemen at Sligo. In that settlement I far exceeded what I had agreed to allow for refreshments to canvassers; I also allowed the sums which I thought right for street agents, posters and others, who certainly had not been engaged by my authority; and I reserved 100*l.* for your private disposal amongst poor electors after the election; other sums being reserved to Mr. Hart and Mr. Tighe for the like purpose, into which it is not necessary for me to go. Under these circumstances, I do not consider that Mr. Towneley is called upon in any manner to depart from the settlement to which I have referred, except where a special case is made out for his liberality; and the only items which I can discover in your accounts of this character at all are your brother's expenses, 10*l.*; Mr. Foley's account, 15*l.*, and the allowance to yourself for sundries, 26*l.* Mr. Towneley's solicitor concurred with me in this view, and we gave him an opinion accordingly; he has, however, very liberally, in my opinion, determined on sending you 100*l.* provided that he is guaranteed against any further claims or trouble; and if you and Mr. Foley will write him a joint letter to that effect, I will remit you and Mr. Foley a joint letter of credit for the amount. In conclusion, I think it right to add, that I consider Mr. Towneley has much to complain of, in the unnecessary expense incurred at the election in refreshments and otherwise, and that very few persons would have acted with the liberality which he has shown in the matter.

Alderman O'Donovan, Sligo.

I remain, &c.
(signed) H. Stonor.

108. At the time of the election that we are speaking of, in 1848, did Mr. Verdon also show himself very active on behalf of Mr. Towneley?—Yes.

109. Had Mr. Towneley seen Mr. Stonor with Mr. Verdon constantly, while Mr. Verdon was acting on his behalf?—The day Mr. Towneley came down, Mr. Verdon was in the drawing-room.

110. You say you are acquainted with Mr. Stonor's handwriting; will you look at that letter, and tell me if it is in Mr. Stonor's handwriting—(handing a Letter to the Witness, dated 11 November 1852)?—That is Mr. Stonor's handwriting.

111. That is addressed to Mr. Verdon?—Yes.

112. Was Mr. Verdon, at the time, Mayor of Sligo?—Yes.

Mr. Stode objected that Mr. Stonor's agency in 1852 was not sufficiently proved before the Committee, to entitle the Petitioners to bring forward the declarations, acts and letters of Mr. Stonor; and that the mere fact of Mr. Stonor having been the agent of Mr. Towneley in 1848 was not proof of agency in 1852.

Mr. Temple was heard against the objection.

Mr. Stode was heard in reply.

Counsel and Agents were directed to withdraw.

After a short time, Counsel and Agents were called in.

The Chairman stated, that the Committee required further proof of the agency of Mr. Stonor.

Mr. Robert Peyton Graham, sworn; Examined by Mr. Temple.

113. I BELIEVE you are a Solicitor at Sligo?—Yes.
 114. Were you in Sligo at the time of the last election?—I conducted that election for Mr. Somers.
 115. Were you acting as Mr. Somers' agent?—Yes.
 116. Did you meet any person in the character of Mr. Towneley's agent, for the purpose of making arrangements for the hustings, and the like?—I did; that was Mr. Michael Gethin; and on the hustings I met Mr. Stonor.
 117. Had you seen Mr. Stonor in the town previously to the nomination?—Frequently; hourly, nearly.
 118. Was he canvassing?—He was; with Mr. Towneley.
 119. And on the hustings, when you met Mr. Stonor, was Mr. Gethin with him?—No; Mr. Towneley was with him.
 120. On the hustings?—On the hustings.
 121. Did you make any further arrangement on the hustings with Mr. Stonor, in the presence of Mr. Towneley?—Yes; I do not know whether Mr. Towneley was a party to the arrangement; he was sitting before Mr. Stonor; Mr. Stonor and I were in the back seats; Mr. Stonor and I arranged that he should influence Mr. Somers, and prevail on him not to allude to Mr. Phillips in his speech, and that he would keep Dr. Phillips back from making any speech; and he told me that he was there for the purpose of answering Mr. Somers, if he alluded to him; and that arrangement was carried out.
 122. Was Mr. Stonor on the hustings also on the day of the nomination?—That was at the nomination.
 123. I understand you to state, that previously to the day of nomination, you saw him in the town with Mr. Towneley, canvassing the voters?—Yes.

Mr. R. P. Graham.
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[The Witness withdrew.

Mr. Serjeant Kinglake was heard to object, that the agency of Mr. Stonor had not been proved.

Mr. Temple was heard against the objection.

Mr. Serjeant Kinglake was heard in reply.

The *Chairman* stated, that the Committee were of opinion that further evidence should be given.

Martin Kilbride, sworn; Examined by Mr. Jones.

124. DO you remember the last election at Sligo?—Yes.
 125. You frequently saw Mr. Stonor there?—I did.
 126. Had you many conversations with him?—No; I had not.
 127. Had you any conversation with him?—

Martin Kilbride.

Mr. Serjeant Kinglake objected to the question.

Mr. Jones withdrew the question.

128. *Mr. Jones.*] Did you let cars to Mr. Towneley?—Not to Mr. Towneley.
 129. To whom?—There were other persons.
 130. Mention them?—I could not mention them now.
 131. Did Mr. Stonor pay you money for cars?—No.
 132. Were you by when money was paid for you to anybody?—I got money.
 133. Who from?—It was Gethin who gave it me.
 134. Was Mr. Stonor by?—I cannot say that he was by when Mr. Gethin gave me the money.
 135. Upon your oath, was Mr. Stonor by?—I could not say that he was when I got the money.
 136. Did he ever pay you money?—No.
 137. Any money?—No.
 138. At any time?—No.
 139. Was the money paid to you in his presence?—No; he was not present.
 140. You say now that he was not present?—I swear that I do not know whether he was present or not.

Martin Kilbride.

28 May 1853.

141. Did you see him during the election?—I did.
 142. Where did you see him?—In the streets.
 143. Was he on your cars?—I could not say that he was.
 144. Did you never see him on your cars?—No, I never did.
 145. Where was your bill paid?—I think it was in Doberty's.
 146. Did Mr. Stonor lodge there?—I cannot say.
 147. Did Mr. Towneley lodge there?—I do not know.
 148. You swear that you do not know where Mr. Towneley lodged, in Sligo, at the last election?—You cannot expect me to swear where he slept.
 149. Had you ever a word with Mr. Stonor about your cars?—No.
 150. You mean by words, a difference; but I mean, did you ever speak to him about your car-hire?—All the speaking that I had with him, was complaining of what Mr. Gethin gave me; and it appeared that Mr. Gethin owed me a balance of 8*l.* or 9*l.* more for my car-hire.
 151. What did Mr. Stonor say?—He said nothing to me; he told Mr. Gethin to do as he thought proper, as far as I recollect.
 152. Mr. Serjeant Kinglake.] Did he speak to you about it?—No.
 153. Mr. Jones.] You complained to Mr. Stonor that the balance of 9*l.* was kept back from you?—I complained to Mr. Gethin that I could not get that money; that I ought to get it.
 154. What did Mr. Stonor say?—I do not remember what he said.
 155. Did you not tell us that you spoke to him once?—I did speak to him once; but he spoke to Mr. Gethin.
 156. Were you present when he spoke to Mr. Gethin?—Yes, I was.
 157. What did he say to Mr. Gethin?—He told Mr. Gethin to look over the bill.
 158. Who was to look over the bill?—Mr. Gethin; and if he considered there was more due to me, I ought to be paid.
 159. Mr. Gethin was the conducting agent of Mr. Towneley, I believe?—I cannot say.
 160. At all events, he was the man who got your bill?—It was to him I handed the bill.

[The Witness withdrew.]

Jeremiah Joyce O'Donovan, Esquire, again called; further Examined by Mr. Temple.

J. J. O'Donovan, Esq.

161. IS that a letter you received from Mr. Towneley, in July 1851—(*handing a Letter to the Witness*)?—Yes.
 162. That is in the handwriting of Mr. Towneley?—Yes.

[The following Letter was put in, and read:]

Dear Sir,
 I am to acknowledge the receipt of your letter of the 23d, with the enclosed receipt, which I return. If the demands now made by you had stood alone, I should have probably taken a different view of it; but after the large sums I have already remitted, to relieve you from the consequences of your own mismanagement and imprudence, I see no reason to alter the conclusion I have already communicated to you through Mr. Stonor. Your last letter, however, and especially the expression contained in it, "that you will hold yourself neutral until the next election, or until I see you squared," make it quite impossible for me now to do anything in the matter. It is with very great regret that I feel myself obliged to write this letter.

I remain, &c.
 (signed) *Charles Towneley.*

Mr. George Leech, sworn; Examined by Mr. James.

Mr. George Leech.

163. DO you live in the town of Sligo?—I do.
 164. Directly opposite the house in which Mr. Towneley lodged, I believe?—Yes.
 165. Had you frequent opportunities of enjoying the proceedings that went on?—I had.
 166. Did you see Mr. Stonor take any part, or an active part, in those proceedings?—I did.
 167. What did you see him doing?—What is most fresh in my memory is, that I saw him in company with the Mayor of Sligo the day the troops were out, and I saw

I saw him with the Mayor at the time with the Colonel of Dragoons; he was in company with him, and the Mayor was, I believe, directing the Dragoons.

Mr. George Leech.

168. Did you see him at Mr. Towneley's windows addressing a mob?—Frequently.

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169. Did you see him "repeatedly walking" the streets arm-in-arm with Mr. Towneley?—I did.

170. Repeatedly?—Yes.

171. Have you heard him give vent to his oratory?—I heard him speak.

172. What did you hear him say in the presence of Mr. Towneley?—I heard him recommend Mr. Towneley as a fit and proper candidate for the borough of Sligo.

173. Did you ever see him in Sligo before Mr. Towneley went there?—Never.

174. Did they come and go together?—Yes.

175. Mr. Serjeant Kinglake.] Did you see them come, or did you see them go?—I saw them together.

176. You did not see them come and go?—No.

Cross-examined by Mr. Serjeant Kinglake.

177. How many persons did you see making speeches at that window?—A good number.

178. Twenty or thirty?—No; not so many.

179. Who were they?—Friends of Mr. Towneley.

180. Any friend of Mr. Towneley would come and make a speech, I suppose, very often; is that what you mean?—I saw those parties making speeches.

181. Mention the names of some others?—I saw several Roman-catholic clergymen.

182. They made speeches too?—Yes; there was the Bishop.

183. More than one?—I cannot say.

184. From the same window that you saw Mr. Stonor speak from?—Yes.

185. Was that at the time of the election?—I think it was the day before.

186. Who else do you recollect?—I just forget the names.

187. You saw a good many, I suppose?—Yes.

188. Did you hear Mr. Strickland make a speech?—I cannot say that I heard him at the last election.

189. Did you see him at the last election?—I am not very positive, but I am aware that he was there before.

[The Witness withdrew.

Mr. Temple submitted that the agency of Mr. Stonor was sufficiently proved.

Counsel and Agents were directed to withdraw.

After a short time, Counsel and Agents were directed to be called in.

The Chairman stated that the Committee required further proof of the agency of Mr. Stonor.

Mr. Temple requested the Committee to allow the point as to the agency of Mr. Stonor to stand over for the present, and he would proceed with another part of the case.

Jeremiah Joyce O'Donovan, Esq., again called; further Cross-examined by Mr. Temple.

190. THE last fact which we proved unquestionably was, that there was a balance of a claim which you had in respect of an old election?—Yes. J. J. O'Donovan, Esq.

191. I believe that a requisition was got up from a number of the electors to Mr. Towneley to come forward as a candidate at the last election?—Yes.

192. Was it brought to you for your signature?—I was solicited to sign.

193. Was Edward H. Verdon one of the persons who solicited you?—I cannot say.

194. Did you see Mr. Verdon on the subject of the requisition, in the first instance?—Mr. Verdon solicited me to sign, without having the requisition in my hand, in conversation.

J. J. G'DONOVAN,
Esq.

195. Was Mr. Verdon an active supporter of Mr. Towneley at the last election?—

Mr. Serjeant Kinglake objected to the question.

Mr. Temple withdrew the question.

196. Mr. Temple.] Did you see Mr. Verdon actively engaged in canvassing on behalf of Mr. Towneley at the last election, and previously to the last election?—Oh yes! previously to the last election. I was not in Sligo from the 4th of July, and the election was on the 12th of July.

197. Up to the time of your leaving Sligo was he so actively engaged?—Yes.

198. Did you leave Sligo, previously to the day of the election?—Yes; I left Sligo on the 4th of July; I was in Dublin at the time of the election.

199. What caused you to leave Sligo at the time of the election?—The Towneley party, or friends of Mr. Towneley, assured me, that immediately after the election I would be paid my money.

200. You went away from Sligo, previously to the election, because some of the supporters of Mr. Towneley said something to you; who was it that said it to you?—Mr. Verdon (the mayor); the bishop.

201. Mr. Serjeant Kinglake.] What is the bishop's name?—Dr. Brown.

202. Mr. Temple.] Mr. Verdon?—Yes.

203. What did he say?—That there would not be the least doubt that I should get the money that was due to me by Mr. Towneley immediately after the election was over.

204. Was there any condition for your getting the money mentioned?—That, of course, I would not go against Mr. Towneley.

205. Was it that which induced you to leave the town of Sligo, previously and during the election?—I candidly confess that my own money (103*l.*) I was anxious to get.

206. Am I to understand that caused you to leave Sligo?—That caused me to leave Sligo at the time.

207. I do not know whether you had previously made any promise to support any candidate or not?—Yes; I had promised Mr. Somers; and I may say I violated my promise, expecting that Mr. Towneley would send me money immediately after the election.

208. You promised Mr. Somers to vote for him at the election; Mr. Verdon told you that if you would absent yourself and your influence from the borough at the time of the election, and not vote at all, you should have the balance of the old account of the previous election?—Not precisely those words; the substance of the conversation amounted to this, that if I would not vote against Mr. Towneley, there would be no doubt I would be paid my money.

209. Did Mr. Verdon do anything with a view to guarantee or assure you that you would receive your money?—He assured me verbally.

210. Did he do anything else?—I do not recollect anything else.

211. Did he deliver anything to you as an assurance?—In writing?

212. Yes?—No.

213. I do not mean anything in his own handwriting; but did he deliver anything to you in any person's handwriting, by way of assurance?—He showed me a letter from Mr. Storer.

214. Look at that letter, and tell me whether that is the letter which he showed you by way of assurance—(*handing a Letter to the Witness, dated the 11th of November 1851*)?—Yes.

215. I believe he left it in your hands?—I saw that before it fell into my nephew's hands, and then my nephew gave it to me.

216. Were there any other persons, except Mr. Verdon, who made those representations to you?—Several.

217. Can you mention their names?—Thomas T. H. Williams, who is now an alderman of the borough.

218. In what form did Alderman Williams make that representation to you; what was the language he used?—That he was quite sure I would be paid after the election, if I did not vote against Mr. Towneley.

219. Was there any other gentleman who made the same representation to you?—I had conversations with Mr. Hugh Connellan and with Mr. Tighe, and they said I was very badly treated.

220. As far as the assurance is concerned, you confine it to the Mayor (Mr. Verdon) and Mr. Williams?—Yes; the other friends of Mr. Towneley sympathized with me in the bad treatment I got from Mr. Towneley; and they said they would do their best to urge Mr. Towneley to pay me; in fact, some of them said, "I will never vote for Mr. Towneley, until you are paid your money."

221. You were not to be paid until after the election?—Yes.

222. They must have voted, if they had voted at all, before you were paid?—Yes.

223. They voted at the last election?—Yes; they sympathized with me, and said, "I will never vote for Mr. Towneley until he pays you your money."

224. I understood you to say, that you were not to be paid until after the election?—Yes.

225. Did they vote at the election?—I do not know who they voted for.

226. What did you understand them to mean by saying they would not vote until you were paid, when you were not to be paid until after the election?—That they would not vote for Mr. Towneley at all at the coming election, until Mr. Towneley paid me my money.

227. You were not to be paid, as I understand, until after the election?—That was with the other parties.

228. Did you see these gentlemen whom you have mentioned, namely, Mr. Verdon and Mr. Williams, actively engaged in canvassing for Mr. Towneley previously to the election?—No; they attended the meeting; I saw the mayor at the meeting, but I did not see Alderman Williams there; he may have been there, for all I know.

229. Did you see Mr. Williams at all engaged in canvassing for him, or doing anything on his behalf?—No.

230. Mr. Verdon, I think you have said, was actively engaged?—Mr. Verdon was a very active friend of Mr. Towneley.

231. In order that we may have no mistake, state what you mean by "active friend"?—His conversations with friends.

232. Did you see him canvassing for him?—I cannot say that I saw him canvassing; that is, going about from house to house.

233. You distinctly state that he came to you, and made those overtures to you?—We met, I think, in his house.

Cross-examined by Mr. Serjeant Kinglake.

234. The mayor sympathized with you, did he?—Mr. Connellan, Mr. Tighe and other friends of Mr. Towneley.

235. They sympathized with you?—Yes.

236. Did you go to the mayor's house, or meet him?—I cannot say; we met, I know, several times.

237. Did the mayor say that he would do his best to get this money for you?—That he would do his best.

238. And that he thought you ought to vote?—Yes.

239. Did he express that opinion?—He thought it should be paid.

240. And that he would do his best?—That Mr. Towneley's friends, the generality of them, were respectable men.

241. I do not understand that you ever saw the mayor canvassing anyone?—Not absolutely going from house to house.

242. You heard him talking a great deal about the election?—Yes.

243. That is what you call being an "active friend"?—Yes, and in conversations.

244. I suppose the mayor talked about the matter; in Ireland you have odd notions about these things; is that what you mean by being an "active friend"?—I believe that Mr. Verdon was a very active friend of Mr. Towneley all through, and advocated him in his paper.

245. He publishes a paper?—Yes.

246. You were not at the election?—No.

247. When did you say you went away?—On the 4th of July.

248. Had you been there in the early part of July?—I was, previously to the 4th of July.

249. Mr. Williams is an alderman?—Yes.

J. J. O'Donovan,
Esq.

250. Did he tell you that he would do his best also to get you this money?—Yes; I have wrote on more than one occasion to Mr. Towneley, pressing him to pay me.

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251. I am afraid you have not had the 103*l*.?—No.

Examined by the Committee.

252. Did I understand you to say, that in consequence of a promise from some one, that if you abstained from voting against Mr. Towneley, you should have that sum of money paid you; you went away from Sligo to Dublin?—Yes.

253. That is what you did?—Yes; together with the letters from Mr. Stonor and Mr. Towneley, vaguely admitting it; but that at present it could not be settled.

254. Your journey to Dublin was influenced by what you heard from Mr. Verdon, and likewise by having seen those letters?—Yes.

255. Had you any business in Dublin?—No; I remained there a fortnight.

256. Did you ever vote for Mr. Somers before?—At the former elections of 1847 and 1848, I was opposed to him.

257. In both of those elections you were opposed to him?—Yes.

258. Do you state that in 1852 you promised to vote for him?—In 1851 I promised to vote for him.

259. In 1851 you promised to vote for him at the general election in 1852?—Yes.

260. But on the two former elections you voted against him?—Yes.

261. You have stated that you promised Mr. Somers; had you promised likewise to propose or second his nomination?—I did; Mr. Somers asked me, and I consented.

[The Witness withdrew.]

John Patrick Somers, Esq., sworn; Examined by Mr. Jones.

J. P. Somers, Esq.

262. YOU are the Petitioner in this case?—I am.

263. You were a candidate at the last Sligo election for the borough?—I was.

264. You have been a Member of Parliament, representing Sligo, for a considerable number of years, I believe?—Fifteen years.

265. With a very slight interruption?—Yes.

266. Previously to the last election for Sligo, you arrived there, about what time?—About a week, I should say.

267. Did you find very great excitement directed against you upon your arrival?—Not on my arrival.

268. Shortly afterwards?—During my canvass.

269. Do you recollect attending the parish chapel on the Sunday previously to the nomination day?—I do.

270. Who was the reverend gentleman who officiated on that occasion?—I do not know the gentleman who officiated on that occasion.

271. Do you know the gentleman who preached or gave a discourse after the service?—Yes.

272. Who was that gentleman?—The Reverend Dr. Phillipps.

273. Did he address the people in a very conciliatory way?—After he had preached, he addressed the people from the altar.

274. Did he make anybody particularly the object of denunciation or praise?—He did.

275. Will you state to the Committee, as nearly as you can, what he said?—He addressed the congregation, in very eloquent terms, on the subject of the Stockport riots.

276. Did he attribute them to anybody?—He depicted the atrocities that were committed there in very glowing terms; and at the conclusion of his speech, he stated that those riots would never have taken place, if it had not been for the base desertion of such men as their representative, alluding to myself.

277. Did he add anything more?—He did.

278. What was it?—He stated that he had alluded to me from that place, the chapel of Sligo, on several occasions; and he farther stated, that he told the people,

people, when he met me face to face, he should repeat in my presence what he had stated in my absence. *J. P. Somers, Esq.*

279. What did he go on to state?—He stated that he was happy to have the opportunity of finding me in his chapel, and he pointed to the gallery where I was sitting, every eye in the chapel being fixed on me at the time, or every eye that could by any possibility reach me. He stated that I was a traitor to my religion and my country, and that any man who supported me voted for hell and the devil; and that every man who voted for my opponent, Mr. Towneley, voted for God and for Heaven.

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280. Did his speech produce much excitement?—Very considerable excitement.

281. In consequence of it, was it suggested to you that it was unsafe for you to leave the chapel?—Some of my friends told me not to go out of the chapel until the chapel-yard was cleared; however, I had no apprehension; I knew the people of Sligo too well.

282. After that, did you perceive that the excitement in the town considerably increased whenever you made your appearance?—Of course I did.

283. Do you remember any other priest speaking of you in exciting and inflammatory terms?—No.

284. You were not present at the mention that was made about the pistol?—No.

285. Do you remember the morning of polling?—I do.

286. Did you see voters come up in company with the reverend gentleman on that occasion?—I did.

287. Will you just describe to the Committee what you observed?—I saw voters in my interest come up arm-in-arm.

288. Who were the parties who brought them up in that way?—I knew only one; the parish curates are all new men there, and I did not know any one of them. Mr. Philipps is a new man, and if he had not been so prominent a character at the election, I should not have even known his person; he has been there a very short time.

289. You saw that he was one of the persons picking up voters whom you had reason to believe were in your interest?—Yes, he took my voters by the collar of the coat, and pulled them into the house.

290. And brought them up in the same way?—Yes.

291. Did you attempt to address these voters as they were passing?—I did.

292. In what way were you treated by these gentlemen, and those who attended them?—Pushed away very violently, and one clergyman I have the pleasure of seeing before me; and I wish to state in his presence that I said to him, "Here is no fair-play here for my voters"; and he stated to me that I was a hanged dog, ruffian and liar.

293. He did that in the presence of the mob?—In the presence of Captain Pritchard and Mr. Coldwell, the engineer.

294. The gentleman who so addressed you, I believe, had been repeatedly your guest?—I have had the honour of knowing him for some years.

295. What is the name of that gentleman?—The Reverend Mr. O'Gara. I see him before me, and I am happy that I have an opportunity of stating this in his presence.

296. That gentlemen had repeatedly been your guest?—He was a very old friend of mine, and a very warm friend of mine, and I am quite unconscious of ever having given him any offence; I never spoke disrespectfully of a clergyman of any persuasion, even on the hustings.

297. From the violent way in which these reverend gentlemen spoke of you, and acted before you, and the way in which they handled your voters, did you attribute the loss of your election?—

Mr. Slade objected to the question.

Mr. Jones withdrew the question.

298. Mr. Jones.] With regard to Mr. O'Donovan, had you and he been very warm friends at your first election, and up to some unfortunate difference?—There was no difference in the world, except those jealousies that arise amongst constituencies.

299. He was a voter at the last election?—He was; he promised to support me.

J. P. Secura, Esq.

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300. You are connected, I believe, with the county of Sligo?—I was born in the county.

301. Mr. Towneley has nothing to say to it; he never came there before he came to oppose you?—I never heard that he had.

302. Had you an opportunity during the election of seeing Mr. Towneley on his canvass at all?—No, I saw him passing by my window.

303. Was he accompanied on that occasion by Mr. Stonor?—He was, invariably, and by Mr. Phillips.

304. You have said that while on your canvass you perceived a great deal of excitement; was there any one particular occasion where it exceeded all bounds?—In the course of my canvass, on several occasions, there was the greatest possible excitement; there was a mob in the interest of Mr. Towneley, who impeded me in my canvass, and threw stones, and maltreated my supporters.

305. Do you remember on your canvass being at the foot of Market-street on one occasion?—I do.

306. Will you describe to the Committee the scene that took place in a civilised town, opposite the mayor's door, on that occasion?—Not wishing to cause excitement, I would not allow a large party who were waiting outside to accompany me in my canvass. I said, "I understand there is an organised party on the other side, and I wish to avoid anything like excitement or a collision." I selected three or four friends to accompany me in my canvass; we went through the usual route; we went to the upper part of the town, which was the usual course of canvassing, and we went on very quietly until we came to about the middle of Market-street; about the middle of Market-street, I was informed there was a large body of people congregated there by the special arrangement of the parish priest and Dr. Phillips, and that if we proceeded in the course of my canvass, we should be assaulted. Being a magistrate of the county, I did not like to interfere, but I wrote a note to the commander of the police force, to send down a force to protect myself and my few friends who were with me; when we got to the corner of the street, which was directly almost facing the house of the mayor of Sligo, Mr. Verdon, there was an immense *posse* of men there, all of whom appeared to be very much excited by drink, and armed with bludgeons; and they intercepted us at once. The police force came in the meantime, headed by a magistrate; they were quite ineffectual to prevent a riot, and the consequence was, that we were hustled about, and I was obliged to take refuge; not that I was afraid of anything, because the people of Sligo held me in so much affection, that they would not harm a hair of my head for all the wealth of Mr. Towneley; still they did that which was equally as bad; they attacked my friends; they thought it no harm to impede my friends and maltreat them, but they would not hurt me; nothing would induce them to do it; because I know the sort of regard they have for me.

307. Do you remember, on that occasion, the magistrate who was first in charge of the police?—I do.

308. Mr. Slade.] This is at the canvass?—Yes.

309. Mr. Jones.] Do you remember the magistrate who was in charge of the police when they first came up?—Major Bromhead.

310. Was he superseded by anybody?—By the mayor, and then there was an end of everything; we were swept off the street; they took me in their arms, and carried me away; they beat every man in my interest, but they would not harm a hair of my head.

311. Did the excitement appear to become greater when they saw the mayor?—Yes; then they thought they were justified in doing anything.

312. Was the mayor of Sligo a friend of yours or of Mr. Towneley?—He was a friend of Mr. Towneley.

313. Was he not a bitter opponent of yours?—Yes; a most bitter opponent.

314. Do you remember, previously to the election, any tickets being issued for admission to the hustings?—Yes.

315. Was there anything particular about the distribution of tickets given to your friends by the mayor?—I do; there was a very limited number given to my friends, and the effect was, that the Court-house was choked with Mr. Towneley's friends. I was only anxious to set myself right about some accusation which was made about having bastardized all the Catholics; but I was not allowed to be heard; and I am indebted to Mr. Towneley for getting me even a partial hearing for a few minutes.

316. On that occasion on the hustings you saw Mr. Stonor?—Yes.
 317. Sitting side by side with his patron Mr. Towneley?—He was sitting behind Mr. Towneley.
 318. Did you hear him suggesting to Mr. Towneley?—Whenever Mr. Towneley was at fault, Mr. Stonor supplied him with some remarks.
 319. Have you known Sligo a long time?—All my life.
 320. Did you ever see Mr. Stonor there before the time at which Mr. Towneley arrived?—Never.
 321. Did you ever hear of him before?—Never.
 322. Is it well known in Sligo that he is the agent of Mr. Towneley?—Of course it is.
 323. It is as patent as the day-light, I believe?—Yes.
 324. And his manager?—I do not know anything of his being manager; he is notoriously his agent.

Cross-examined by Mr. Serjeant Kinglake.

325. Did you happen to propose a vote of thanks to the mayor for his most impartial conduct in the chair?—I did.
 326. He is the bitter gentleman?—Yes; his conduct was very impartial on the hustings, and therefore I discharged the duty which every Member invariably does on the hustings.
 327. You thought so, you say?—Yes, on the hustings.
 328. How long was it before the election that you were canvassing?—About a week.
 329. How many friends had you with you at the time?—Not more than four or five.
 330. Were they friends canvassing with you?—Yes.
 331. Let us hear who they were?—Mr. Michael Kelly, Mr. M'Ternan; I cannot recollect the others; they were old and intimate friends of mine.
 332. Do they live in the place?—They live in the town, and they are voters.
 333. Some of your active supporters?—Yes, friends of mine.
 334. Were they canvassing with you?—They were canvassing with me; there were not more than four or five; having a good number of friends, it is very difficult to remember who happened to be with me on that particular day.
 335. Was a person of the name of M'Bride one of them?—He was not.
 336. Or O'Connor?—Henry O'Connor, I dare say, was; but I cannot call to my recollection whether he was actually with me; he is a very warm friend of mine.
 337. Can you recollect whether he was one of the party?—I do not think he was on that occasion.
 338. Did you enter into any preparation for having a body of men; what are called bludgeon-men, at the election?—No.
 339. Did you not see some one on the subject, and make some proposal?—A proposal was made to me, which I rejected; and the men were waiting outside, and I would not allow them to come with me; in the first part of my examination, I stated to the Committee that there was a body of men waiting outside to accompany me; and I said, "I shall not go on with my canvass unless I am unaccompanied, except by a few friends;" and I would not allow these men, who were anxious to do so, to accompany me; I said, "I shall not go out on my canvass unless these men go away."
 340. Do you know a person of the name of Dowling?—I do not.
 341. Do you know Patrick Rock?—No.
 342. Do you recollect, a few days before the election, a person of the name of Patrick Rock calling on you, with reference to employing some men?—No; nothing of the sort occurred.
 343. Do you not recollect having a conversation with a man of that name?—No; I never knew a man of the name in my life; I have heard of Captain Rock, but whether he is the identical Captain Rock or not I do not know.
 344. Do you recollect any one coming to you, whatever his name may be, about getting some people to go round with you?—Several persons came to me.
 345. Do you recollect any proposal being made about the money you were to give?—I do.
 346. Was anything said about 70*l*?—There certainly was something said about money.

J. P. Sours, Esq.
—
28 May 1853.

347. Who made that proposal?—A man of the name of O'Connor, I think, made the proposal to me, but I repudiated it.
348. You never assented to it?—Never.
349. What sum was mentioned?—I think 200*l*.
350. Was there anything said about any smaller sum than that being paid?—No; it was said that I could not have the support of the party under 200*l*, and if I could not give 200*l*, they would go over to Mr. Towneley, and so they did.
351. Were they what are called bludgeon-men?—They were non-electors.
352. Can you tell me who was the man who made that proposal to you?—A man of the name of O'Connor.
353. Henry O'Connor?—No; another man of the name of O'Connor.
354. Do you know a person of the name of Hugh Ward?—No.
355. Did you see him about the matter?—No; Mr. Ward is a friend of Mr. Towneley; he is a Ribbon leader.
356. Do you recollect them coming more than once?—I never spoke to the man in all my life.
357. Were you living in lodgings all the time?—No; at an hotel.
358. Do you recollect their coming more than once?—No; I repudiated any connexion with the party.

Re-examined by Mr. James.

359. You say that a demand of 200*l*. was made upon you by these non-electors?—There was no demand; a proposition was made to me, that I could have the support of that party of bludgeon-men for 200*l*.
360. On that occasion, did they say what Mr. Towneley was to give them?—No; they said, "If you do not agree to our proposition, we will go over to Mr. Towneley;" I said, "I make him a present of you;" really they earned their money right well; they assaulted all my friends, and killed one of them.

[The Witness withdrew.

[Adjourned till Monday, at Twelve o'clock.

Luna, 30^a die Maii, 1853.

MEMBERS PRESENT.

Mr. Divett.
Mr. Hindley.
Sir Edmund Filmer.

Hon. W. H. Berkeley Portman.
Mr. W. J. Evelyn.

EDWARD DIVETT, Esq., IN THE CHAIR.

Mr. Lawrence M'Ternan, sworn; Examined by Mr. Jones.

Mr. L. M'Ternan.
—
30 May 1853.

361. YOU are a Solicitor of very many years' standing?—Yes.
362. You reside in the town of Sligo, I believe?—Yes.
363. You are a voter for the borough?—Yes.
364. Do you remember, previous to the last election in Sligo, observing the canvass of Mr. Towneley?—Yes.
365. You saw him frequently on his canvass?—Yes.
366. On every occasion, almost, that you saw him, was he attended by Mr. Stenor?—I think always.
367. Did you see in his company, and with his party, the priests of Sligo?—Yes.
368. Invariably?—Yes.
369. Will you be good enough to mention to the Committee the names of the reverend gentlemen who invariably attended him about?—Mr. Phillippus was the principal clergyman I observed, and the others were occasionally only with him.
370. Mention the names of the others?—Mr. Quinn and Mr. White; I did not pay particular attention.

371. Mr

371. Mr. Quinn is, I believe, the curate of Mr. Phillips?—He is one of the curates of the parish. Mr. L. M^{rs} TOWNLEY.

372. Were you in the habit of attending the parish chapel previous to the last election?—Indeed I was not; I go to the Friary. 30 May 1853.

373. Mr. Slade.] More shame for you?—"More shame for you," was an observation made here, I cannot tell by whom; and in reply to that, I say that I attend regularly at the Friary in Sligo, which I conceive a much more proper place; that is the name it is usually called by; it is sometimes called the Convent, but Friary is the familiar name of it.

374. Mr. Jones.] You were on the hustings?—Yes.

375. I believe you proposed Mr. Somers?—Yes.

376. While there, and in the discharge of your duty, as an elector of the borough, about to propose Mr. Somers, did you observe any extraordinary conduct towards you on the part of anybody?—Yes, I did.

377. Will you describe it to the Committee?—I intended to say very little, not being much of a speech-maker, but I was completely prevented by great uproar and shouting; and the first person I observed to interrupt me or to interfere was Mr. Phillips; I saw him shake his hand at me, and the clerk of the chapel was beside him, and he commenced the instant he got the signal from Mr. Phillips, and after that I was perfectly unable to proceed.

378. When you say Mr. Phillips, you mean Mr. Phillips, the priest?—Yes.

379. Now, as it is rather difficult for the Committee to conceive a gentleman acting in that way, will you just describe, with your hand, the way in which he shook his fist at you?—

Mr. Slade objected to the question.

380. Mr. Jones.] At all events, Mr. Phillips shook his fist at you in a very violent way?—Yes.

381. Did you hear any of the speaking from Mr. Towneley's window, at any time?—No.

382. You were not present at that?—No.

383. Do you remember attending Mr. Somers upon his canvass?—Yes; I believe I was sometimes with him; I was on one particular occasion.

384. On that one particular occasion, what did you observe?—There was dreadful violence; we came down from Market-street, and in the course of our progress, some person came to say that there would be a riot; and I advised Mr. Somers to send for the police, and so he did. Major Bromhead took charge of the police and walked down, and when we came to the foot of Market-street, it was perfectly impossible to proceed; the stones began to fly about. I got into the Stamp-office; I met the mayor there, and I told him what was doing, and asked him to go out, and he did go out; afterwards I was completely separated from the party with whom I had previously been, and I did not go further; I thought it quite impossible to proceed.

385. This was in the middle of the day, I believe?—It was, I should say, between one and two o'clock.

386. Did you know any of the parties?—Who were violent?

387. Yes?—I knew several of them, so far as knowing their faces, and knowing them to be Sligo butchers and porters, and all that; I could not, perhaps, tell their names; I know the names of some of them.

388. Do you know a man named M'Niff?—Yes.

389. Did you recognize him on that occasion?—I met him in the crowd.

390. Was he heading them?—I could not say whether he was or not.

Mr. Slade submitted that Mr. Towneley, the Sitting Member, could not be affected by these proceedings, not being shown to have been connected with them.

The Committee decided that Mr. Jones should proceed with the examination.

391. Mr. Jones.] Were you present at the polling?—I was about the Court-house, in and out.

392. Did you know Mr. Gethin to be the conducting agent?—Yes.

393. Did you see Mr. Gethin acting there?—Yes.

394. In what way was he acting?—He acted as conducting agent for Mr. Towneley, and there is no doubt about it.

Mr. L. St. John.

20 May 1853.

395. You are a solicitor, and you know the practice on such occasions?—Yes.
396. While the polling was going on, did you see Mr. Somers assailed by anybody?—No; I was not present when anything occurred.
397. You saw the voters, I believe, coming up to the poll?—Yes; I saw a great many of them.
398. Did you see any priests on that occasion?—Oh, I saw them very active.
399. What do you mean by "very active"?—They were exerting themselves for Mr. Towneley, to be sure, as much as they could.
400. Did you see any of them escorting any of the voters up?—I saw them walking with the voters.
401. Had they hold of the voters?—No, indeed, not that I recollect; they did all they could to get the voters forward; I did not see them pull any voter, or lay hands on any voter; they went from the places where the voters were up to the booth, where they polled.
402. The priests came from the places where the voters were, and went up to the booth, where they polled?—Yes.
403. Where were the places where the voters were?—There were voters in Mass-lane; they came from a house in Mass-lane, some of them.
404. In point of fact, you mean from the tally-room?—Yes; others came up the streets.
405. Will you name the priests whom you saw coming from the tally-room to the polling-place with the voters?—I cannot name particular priests; I saw the curates of the town actively engaged; I saw Mr. Philipps; I did not pay particular attention to who they were; I was attending to other matters.
406. Did you happen to see the Reverend Mr. O'Gara?—On that day?
407. Yes, or at the hustings?—On the hustings I did; he was sitting close beside me.
408. Did you hear him make use of any language?—Yes.
409. Mr. Slade.] In the presence of Mr. Towneley?—Yes.
410. Mr. Jones.] How far was Mr. Towneley from Mr. O'Gara at the time?—He was sitting behind Mr. Towneley.
411. What did you hear Mr. O'Gara say?—After the proceedings had almost terminated, Mr. Somers got up for the purpose of proposing a vote of thanks to the Mayor for his conduct during the nomination, and I heard Mr. O'Gara, who was sitting behind me, say, "Don't allow him, don't allow him; don't allow him to speak;" that was all.
412. Did he call Mr. Somers any name?—Not that I recollect; I do not recollect whether he might have said "Fellow," or not; he interfered to prevent his speaking, and wished Mr. Towneley to be the person to speak.
413. In point of fact, all through, the priests, wherever you saw them, were taking the most active part for Mr. Towneley?—Certainly they were.

Cross-examined by Mr. Slade.

414. You are a solicitor?—Yes.
415. You generally take an active part in elections at Sligo?—Sometimes I have, but latterly I have not.
416. I suppose you were active on Mr. Somers's part on this occasion?—No, indeed, I was not.
417. Were you not employed at all?—No.
418. You were merely employed to watch what other parties were doing, and repeat it here?—I was very anxious for Mr. Somers, and if I could have rendered him a service I would have done so, but I was not a paid agent, nor did I act in any capacity as agent.
419. Did you take an active part on the part of your friend Mr. Somers on one occasion; a legally active part?—There was nothing in my power to do to benefit him that I did not do.
420. Committee.] You acted as a friend?—Yes, but really I did not go to any extreme at all; I never went to a man, that I recollect, to canvass him, and I had a great many friends in the town whom I think I could have influenced; I would not do it, because I thought they ought to judge for themselves.
421. Mr. Slade.] Your opinion is, that a man should have his own opinion, and that no one should lead him?—I think that men who are capable of forming a judgment should be allowed to exercise that judgment.
422. And you suppose in that consists freedom of election?—As far as my opinion

opinion goes; I should say it is of very little consequence what my opinion may be on the subject.

Mr. L. St-Ternon.

423. In the election of 1848 did you happen to be Mr. Towneley's friend?—In the election of 1848 I was engaged professionally for Mr. Towneley, and I was paid 10 l. for my services.

30 May 1853.

424. I do not suppose that the 10 l. bought your good wishes alone; you were on his side on that occasion?—I was just as much on his side as I was his agent, and I hope I did my duty, and nothing more.

425. What occasioned you to go over to the other side; if you had been a strong partisan, the offer of 10 l. would not have bought you over to Mr. Towneley's side?—At that time I had some misunderstanding with Mr. Somers; since then I have had an explanation, which satisfied me that, perhaps, I was wrong; I was always his friend previously to that, and I am just as much so now, as ever I was.

426. You voted for Mr. Towneley in 1848?—I did not.

427. Are you quite sure of that?—Quite sure of it.

428. Who did you vote for?—I did not vote in 1848; I had no vote at the time Mr. Towneley was returned for Sligo; I was on the Registry, but the time had not arrived when I would be qualified.

429. Your qualification was not complete?—No, it wanted a few days.

[The Witness withdrew.]

Mr. Slade submitted that the evidence on one branch of the inquiry should be concluded before the evidence upon another was gone into.

The *Chairman* stated, that in an inquiry like the present, it was not desirable to confine the Counsel for the petitioners strictly to the course proposed.

Mrs. Winnifred O'Brien, sworn; Examined by *Mr. Jones*.

430. *Mrs. O'Brien*, are you the wife of Pat O'Brien, the broker, in Sligo?—Yes.

Mrs. W. O'Brien.

431. Do you remember just previously to the last election for Sligo?—I do.

432. Do you remember Mr. Stonor coming to your house with Mr. Haggarty?—No, he never came.

433. Who never came?—Mr. Stonor.

434. Did he come to your husband?—I do not know.

435. You were not present when he came to your husband?—No, I never saw Mr. Stonor come into my house.

436. Do you remember Mr. Philipps coming to your house?—I do.

437. When did he come?—I believe ours was the fifth house that he canvassed, but my husband was not within.

438. Do you remember Mr. Philipps coming to your house the evening or so before the election, and asking for your husband?—I do.

439. Had Mr. Philipps many people with him?—No, he had not.

440. How many had he?—Two persons, or three.

441. Who were they?—I cannot tell you the persons' names.

442. You cannot tell who were with him?—No.

443. But he was certainly there himself?—He was.

444. What did he say to you when he came in?—He asked for Pat.

445. Was it your husband he asked for?—It was.

Mr. Slade asked whether the learned Counsel was proceeding with a case of intimidation, bribing or treating?

Mr. Jones stated, that he was at present upon a case of intimidation.

446. Mr. Jones.] He asked for Pat?—He did.

447. What did you tell him?—Pat came to him.

448. Was Pat denied to him in the first instance?—No.

449. Was it to you he spoke?—He spoke to me when he came.

450. And he asked, you say, for your husband?—Yes, and my husband came.

451. What did you tell him?—He was within.

Miss W. O'Brien.

452. What hour of the night was this?—I cannot tell you.

453. Was it late in the night?—I do not know.

454. Was it dark?—It was; it was a summer evening, and the place was closed; the shops close at eight o'clock, or nine o'clock.

455. Then it was after your shop was closed that Priest Phillippa came?—Yes.

456. When your husband came forward, what did Priest Phillippa say to him?—I cannot say what he said to him.

457. Were you not standing there?—I was not; I had to take a child in my arms, and go out.

458. Why did you take the child in your arms?—To shut the door.

459. What became of your husband?—He stayed there all night.

460. Was there any discussion, or any conversation, between him and Priest Phillippa?—I cannot say; because I never interfere in election affairs, nor interfere with men's affairs.

461. How many people were in your shop at this time?—There were no persons at all in my shop.

462. How many persons were with Priest Phillippa?—There came no person into the place; the alarm gathered outside, and it was said we beat the priest; there was no one inside our house.

463. When the alarm gathered outside, did any people come in?—No.

464. No one came in?—No.

465. And you were standing in the house all the time?—Yes.

466. Did your husband leave your house that evening?—No, he did not.

467. Did he leave your house any other evening?—Any other evening?

468. Yes?—I could not tell what time my husband left the house.

469. Was your husband taken out of your house on any evening by Priest Phillippa?—No, he was not.

470. Were you struck in your own house on any night?—Struck, sir?

471. Yes?—No, I was not struck; but I was struck the next morning by a woman, who was not right in herself.

472. What was the name of the poor woman?—The name of Chambers.

473. What did she strike you for?—I do not know, indeed, sir.

474. Were you attended by any doctor in consequence of this blow; no matter whom you got it from?—I had a doctor to attend me; but I cannot say what it was for; it was the will of the Lord.

475. Who was the doctor who attended you?—Dr. Tucker.

476. Did a Dr. M'Munn also attend you?—He did, since I took the cough and inflammation on the lungs.

477. Dr. M'Munn was not attending you for the consequence of this blow?—No, he was not.

478. How long was Dr. Tucker attending you?—I cannot tell you.

479. How long do you suppose?—To the best of my belief, it was just about five days.

480. Was it night or morning when he was called in to see you?—In the morning.

481. Immediately after you got the blow from the poor woman?—Not at all; not till long after that.

482. Previous to the election, were you struck by any member of a mob?—No.

483. You never said so?—I never said so.

484. To anybody?—To anybody.

485. Was your husband beat in your presence?—I cannot say about my husband, for I took the child up in my arms, and went out.

486. When you took the child up in your arms, and went out, who did you leave in the house with your husband?—Who did I leave in my house?

487. Yes?—I left my family in the house, and a girl.

488. And the crowd came in?—None of the crowd came in.

489. Then you mean to swear that no crowd ever came into your house during the election, and beat your husband?—No crowd came in with Mr. Phillippa, only two persons.

490. Did they come in after Mr. Phillippa?—No.

491. Or before Mr. Phillippa?—No.

492. Then, your husband was never beat in his house by any member of a mob during the last election?—I cannot tell you.

493. Were

493. Were you knocked down on the floor in your own house on any occasion, and trampled upon by the crowd?—No, not at all.
494. Had you not a miscarriage?—I had.
495. Did you hear that evening the Riot Act read outside your door?—I did not.
496. Since this affair, whatever it was, have you had any conversation with Priest Philipps, on your oath?—On my oath, I never had any conversation with him.
497. Priest White?—Not with Priest White.
498. Priest Quinn?—Not with Priest Quinn.
499. Priest O'Gara?—Not with Priest O'Gara.
500. Priest Nangle?—Not with Priest Nangle.
501. Or any other priest?—Not with any other priest.
502. Are you telling now, on your oath, before this Committee, the same story you have always told about this matter?—I have told no story, either at home or abroad, but what I am telling here.

[The Witness withdrew.]

Patrick O'Brien, sworn; Examined by Mr. Jones.

503. YOU are a voter, I believe, for the borough of Sligo?—Yes.
504. Previously to the last election, had you promised to vote for Mr. Somers?—No.
505. You had not?—No.
506. You never promised to vote for Mr. Somers?—No.
507. Do you remember Priest Philipps paying you a visit at your house?—Yes, several times.
508. Do you remember his coming on one occasion after your shop was closed?—Yes; he came into my house.
509. Who came with him?—I could not tell.
510. Did any one come with him?—I could not say, because the place was dark.
511. Do you tell this Committee that you cannot tell whether he came by himself, or attended by others?—I could not say.
512. Were you struck on that occasion?—No, I was not.
513. Were you ever struck?—I might be struck in the street, but not in my house.
514. Were you struck opposite your house?—No.
515. Was there a row outside your house?—Several rows in the town.
516. I am talking of one row, when the Riot Act was read?—I did not hear it read.
517. You swear you never were struck in your own house?—Never; except that I might be, when I and my wife have had a little wrangle.
518. Upon your solemn oath, did you ever tell anybody that you were beaten and abused in your own house by Priest Philipps?—If I did, I was not sworn to it.
519. Was your wife hurt?—Hurt! I did not see her hurt.
520. Do you know she was hurt?—No; she was ill for a while there.
521. What did she attribute that to?—What happens to many a female through life.
522. What?—What we call in our country, she slipped her foot and lost.
523. She got no blow from anybody?—I do not think she did; it is what we call a miscarriage.
524. You never heard of her getting a blow from anybody?—No, indeed; I think not.

[The Witness withdrew.]

Thomas O'Connor, sworn; Examined by Mr. Jones.

525. WERE you a voter for the borough of Sligo at the last election?—I was.
526. You live a little way out of town, I believe?—Better than three miles.
527. Do you remember the market-day before the election?—I do.
528. Do you remember meeting Priest Philipps on that day?—I do.
529. Had you any conversation with him about voting?—I had.
530. What did he say to you?

[The Witness was directed to withdraw.]

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Mr. Slade objected, that this was not a proper course of examination.

Mr. Temple was heard against the objection.

The Committee decided that the examination should proceed.

Thomas O'Connor, called in; and further Examined by Mr. Temple.

Thomas O'Connor, 531. WERE you asked by Priest Philipps who you were going to vote for?
—Yes.

532. Did you tell him for whom you were going to vote?—I did not tell him at that time.

533. Did you, at any time previous to the election, tell him for whom you were going to vote?—He did not speak to me until that Saturday before the election.

534. On that Saturday before the election, did Priest Philipps apply to you for your vote?—He did, on the Saturday before the election.

535. Did you refuse to give your vote to anybody but Mr. Somers?—I did not refuse Mr. Philipps on that day.

536. Did you tell him anything about Mr. Somers?—No.

537. Did you tell him whether you would vote for Mr. Towneley or not?—I did not.

538. Remember, you are on your oath, sir; on your oath, did you not tell Priest Philipps that you intended to vote for Mr. Somers?—On my oath, I did not tell him any such thing.

539. On your oath, did not Priest Philipps threaten you, if you did not vote as he wished you?—I told Priest Philipps that I was born and baptized in the church, and that I hoped I should die in the church, and support the principles of the church; and that on whichever side Mr. Philipps and the clergy were, I would be.

540. Did you tell him that always from the first time of his applying to you for your vote?—I do not remember that I had any conversation with him.

541. Did you ever say to him that you intended to vote for Mr. Somers?—On my oath, I never did.

542. Do you know this gentleman, Mr. Graham?—I do.

543. Did you not tell Mr. Graham that Priest Philipps asked you who you were going to vote for, and you said for Mr. Somers always?—I do not mind that I did tell him, because I never told Mr. Philipps any such thing.

544. If you told this gentleman so, you told him a falsehood?—I did, if I did tell him so.

545. Did you tell him so or not?—I cannot be clear that I did.

546. Can you be clear that you did not?—No, I cannot.

547. Attend to me; upon your oath, did you never tell this gentleman (Mr. Graham) to this effect, that Priest Philipps asked you whom you were going to vote for, and that you said, "for Mr. Somers, as always"?—I do not think I could tell him any such thing.

548. Will you swear that you did not?—I will not.

549. Did you not tell him that Priest Philipps had dared you to do so, under the risk of destruction to your life and property?—To him?

550. Yes?—I do not think I could tell him any such thing.

551. Will you swear you did not?—I will not swear.

552. Could you be mistaken as to whether you told him such a thing as that or not?—[No answer.]

553. Did you not tell him something about your big namesake?—[No answer.]

554. You have a cousin a very wealthy man, a namesake of yours?—Yes.

555. Did you tell this gentleman that Mr. Philipps said something to you about your big namesake?—Mr. Philipps talked about the name; I told him that I had always supported principles, and that I would support principles.

556. Did you not tell him that Priest Philipps had said, that if you dared to vote for Mr. Somers he would denounce you, and call you out from the altar?—I could not tell him such words, because those words were never expressed.

557. Will you swear you did not tell him so?—If I told him so, I told him what was wrong; that was never the expression of Mr. Philipps.

558. Did you tell him so, or did you not?—I could not tell him any such thing.

559. Will

559. Will you take upon yourself to swear you did not tell this gentleman those things which I now ask you?—I cannot mind that I did.

Thomas O'Connor.

560. You cannot swear whether you did or not?—I could not tell.

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561. *Committee.*] You must give a distinct answer?—There was no such conversation between Mr. Phillipps and I; Mr. Phillipps did not put such questions to me at all, nor talk to me on the subject.

562. *Mr. Temple.*] Did you not tell this story that I am asking you about to this gentleman, Mr. Graham?

[The Witness was directed to withdraw.

Mr. *Slade* objected to the question, and submitted that the learned Counsel had no right to make the Witness contradict himself.

Mr. *Temple* was heard in answer to the objection.

The *Committee* overruled the objection.

Thomas O'Connor, again called in; and farther Examined by Mr. *Temple*.

563. WILL you take upon yourself to swear you did not tell Mr. Graham that Priest Phillipps had told you that if you voted for Mr. Somers he would denounce or call you out from the altar?—If I told that to Mr. Graham, I told him a lie.

Thomas O'Connor.

564. That is not the question; will you swear you did not tell him so?—I cannot swear whether I told him or not.

565. What I ask you, is a matter of importance; namely, a threat to denounce you from the altar; will you tell the *Committee* that you cannot take upon yourself to swear whether or not you told this gentleman (Mr. Graham) so or not?—Mr. Phillipps never told me any such thing.

566. That is not the question?—I cannot answer the question whether I told it to Mr. Graham or not.

567. *Committee.*] Did you or not say so to that gentleman?—I cannot say whether I did or not.

568. You cannot swear whether you did or not?—I cannot. The evening that I was in company with Mr. Graham I chanced to have taken a drop; I drank some spirits that evening. The conversation between Mr. Graham and myself I cannot mind.

569. You mean to say, that having taken a drop that evening you cannot swear what you said on that evening?—If I said it, I cannot mind it. If I said it, it is what was wrong.

570. *Mr. Temple.*] You reside about three miles out of Sligo?—I do.

571. You remember the night of the nomination; it was a Monday?—Yes.

572. Do you remember the day of the month; the 9th of July?—Yes, I think it was.

573. Did you go to bed at your own house that night?—I did.

574. After you had been in bed some time, did you hear the noise of cars, and the footsteps of people about the house?—I heard the noise of a car coming; I live on the road-side.

575. Close to your door, did you hear a noise which let you know that there were people coming to your house; was there a knock at your door?—There was a knock at my window.

576. Did you get out of bed?—No; I axed, "Who is it?"

577. Did you get out of bed to ask it?—No.

578. Did you ask from your bed?—I did.

579. Was the answer something of this sort: "Open the door; we want to speak with you?"—No; he axed, "was I asleep;" I knew the person by his voice.

580. Was it Priest Quinn?—It was the priest that attended my parish or chapel.

581. *Committee.*] Who is the priest that attends your chapel?—Priest Quinn; he is always out there, visiting sick people.

582. *Mr. Temple.*] Was the door opened to him?—I told him I would get up and open the door.

583. Did he come into the house?—He did.

584. Did he order you to dress yourself?—He told me that he was going.

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585. From what he said to you, did you dress yourself?—He told me he was going to Sligo, and he would be glad that I should go along with him; I told him I could not have better company, and I would be glad to go with him.

586. This was after you had gone to bed; what did you want to do at Sligo at night?—My wife went to Sligo on Monday; she got angry with me for not telling Mr. Philipps that I should vote along with him and Mr. Towneley.

587. I thought you said you told Mr. Philipps that you should vote for him and the priests?—I do not understand.

588. I thought you said on the Friday before, when Priest Philipps came to you, you told him you should always vote for your religion and your clergymen?—I did not tell him that I should vote for Mr. Towneley.

589. Did you not mean him to understand that you should vote for Mr. Towneley?—Nay; let him understand from the words, that I said I told him I would support the principles of my church.

590. Had he been angry with you for giving him that answer?—He shook hands with me.

591. How came your wife to be angry with you for not having told Mr. Philipps that you would vote for Mr. Towneley?—He did not ask me for my interest until that day, and it was the market-day; I told him that I would see him the next day, and that I should give him an answer at that time; on Tuesday I told him I was born in the church, baptized in the church, that I hoped I would die in the church, and that I would support the principles of the church; I did not tell him who I would vote for.

592. I understand you to say that he shook hands with you after you had answered; so that he understood it pretty well?—Yes.

593. How came your wife to be angry with you on Monday?—For not telling him at once that I should vote for him and Mr. Towneley.

594. Although Priest Philipps was perfectly satisfied and shook hands with you?—He shook hands with me, and told the people that I would vote for him.

595. After you were invited to get out of bed, and go to Sligo by Priest Quinn, and you said you should be happy to have such company, did you go willingly?—I did.

596. You dressed?—Yes.

597. And you did not go unwillingly?—No.

598. Were there not a number of persons about who insisted on your going?—On my oath, there were not; he did not insist I should go; but he asked would I go into town with him, and I told him I would.

599. What had you to do in Sligo after you had gone to bed on that night?—I went in to vote for Mr. Towneley.

600. You only lived two or three miles out of Sligo?—Something better than three miles.

601. Why was it necessary for you to go at 11 o'clock on Monday night, in order that you might vote on the Wednesday?—Where I had good company to be with, I chose to go.

602. Attend to me; the polling-day was on the Wednesday?—It was.

603. What occasioned you to be in Sligo on Monday night, especially after you had gone to bed, in order to vote for Mr. Towneley on Wednesday morning; what would have prevented your going on Wednesday morning to vote for Mr. Towneley?—For fear that any person from the opposite side should come in and take me away.

604. Where did you go when you got to Sligo; where did Priest Quinn take you?—Into Mr. Walker's office.

605. Who is Mr. Walker?—Mr. James Walker.

606. The gentleman who is instructing my learned friend on the other side?—Yes, that is the very gentleman.

607. Mr. Towneley's law agent?—I do not understand what he is.

608. When you got to Mr. Walker's who was in Mr. Walker's house?—In Mr. Walker's house?

609. Who did you find there?—I saw Mr. Walker there.

610. Was Mr. Stonor there?—He was.

611. Was Mr. Guthin there?—He was not.

612. Priest Quinn, the gentleman who had taken you, was there?—He did not stay many minutes; I went along with him.

613. Did

613. Did you go from Mr. Walker's house that night, or stay there?—I was not two minutes there.
614. Was Mr. Stonor in the car with the priest who took you away from your house with the gentleman who came to your house, and invited you to go to Sligo?—He was.
615. And Mr. Stonor, I suppose, went with you to Mr. Walker's; you all came in the car together, did you not?—We did.
616. Where did you go to from Mr. Walker's?—I went to Mass-lane or Chapel-lane.
617. Mr. Stonor and Mr. Walker, as I understand, went with you?—They did not.
618. Mr. Stonor and Mr. Quinn went with you?—No; Mr. Stonor did not.
619. Who took you there?—I do not know the party who drove the car.
620. Was not Mr. Quinn with you?—Mr. Quinn was with me.
621. Did you sleep the rest of the night at the house that you went to in Mass-lane, or were you taken to M'Loughlan's, the sexton?—I did not delay long; I like to go to rest.
622. Did you stay there long?—I did not stop long.
623. Who did you see at the house in Mass-lane?—I went to John M'Loughlan's, and told him I should like to go along with to and go to rest.
624. Who did you see in that house in Mass-lane?—There were several people there.
625. Were there not a great number of persons there?—There were not, indeed.
626. Were there above 20 persons there?—I cannot say.
627. Will you swear there were not between 20 and 30 persons?—I cannot.
628. Did they lock you in at first?—They did not.
629. Could you have come away if you liked?—Any minute of the hour.
630. You swear that?—I do.
631. You say you asked Mr. M'Loughlan to take you to his house; was Mr. M'Loughlan the sexton?—He was.
632. And chapel clerk?—Yes.
633. The next day, Tuesday, was a holiday in your church, was it not?—It was not.
634. There was mass performed?—There is mass every day.
635. Did you go to mass on Tuesday morning?—When I got up I cleaned myself, and went out to mass.
636. Did M'Loughlan accompany you?—He did not.
637. Did you go entirely by yourself?—I did, and no one to prevent me.
638. Was there anybody with you?—There was no one with me, until I went into the chapel.
639. Did you go the front way to the chapel, or did you go the back way?—The lodge is in the chapel-yard, and I just went out straight to the chapel.
640. In the rear?—Yes.
641. That was direct from the lodge into the chapel?—It was.
642. Will you swear that M'Loughlan was not looking at you, going from the lodge to the chapel?—M'Loughlan did not interfere with me.
643. When he came did he see you?—I cannot say whether he did or not.
644. Was M'Loughlan there when you went from the lodge to the chapel?—He was in his house at the time I went out to the chapel.
645. When you came out of the chapel, as soon as you got out, were you joined by Priest Philipps and Quinn?—I was not.
646. Did they not see you come away?—I might go where I liked; I waited outside in the street for a good while, until Mr. Quinn came out, and I just walked along; I could go where I liked.
647. You waited for Mr. Quinn?—I did, because he attends our chapel; and when he passes by our place, he calls in and sees how we are.
648. You waited for Mr. Quinn?—Yes.
649. You might have gone away if you pleased?—Yes.
650. Were there a number of persons standing about?—No one interfered with me.
651. Were there a number of persons standing about?—Outside.
652. Yes?—I do not think there were; only the persons coming from mass.
600. D 653. Were

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653. Were there some persons standing or not at the outside when you came out, waiting for Mr. Quinn?—I do not understand.
654. Were they waiting about?—No.
655. Were they not standing near the door of the chapel?—There was not one put a question to me.
656. Were there persons standing about the door of the chapel?—I did not remark any person when I was coming out from mass.
657. Will you swear that there were not some persons waiting at the door of the chapel when you came out?—When they come out from mass, they generally stop and talk to each other; I did not remark more than that.
658. You found persons doing as they generally do outside?—Yes.
659. You waited for Mr. Quinn?—Yes, I held no conversation with any person till Mr. Quinn came; I could go where I liked.
660. Will you swear that you did not attempt to make your escape, and that Mr. Philipps and Mr. Quinn did not stop you?—On my oath they did not.
661. Will you swear they did not say, "You shall not escape that way;" and did not Mr. Philipps say, "Mr. Quinn, you take care of Tom O'Connor"?—On my oath, from the time I came into Sligo till I left, no such questions were put to me.
662. Did you not tell this gentleman (Mr. Graham) that was so?—If I told him so, I told him what was wrong.
663. Will you swear you did not tell him so?—I will not.
664. Have you forgotten whether you told him so or not?—I cannot mind whether I did or not.
665. May you really have told him that, and forgotten it?—If I told him, I told him a lie.
666. Where did you go with Mr. Quinn?—My wife promised—
667. Never mind your wife; answer my question first; where did you go to with Mr. Quinn?—I promised my wife I would meet her next day at Mrs. M'Hugh's, and I told her I would stop there; I went over to Mrs. M'Hugh's in Jade-street.
668. That is where Priest Quinn lodges, is it not?—I cannot exactly say; indeed I cannot.
669. Do you tell me that you do not know that Mrs. M'Hugh was Mr. Quinn's landlady, and that Mr. Quinn was lodging there at that time?—I have been acquainted with her ever since I came to Sligo; that is, 25 years.
670. Will you swear that you do not know that Mr. Quinn was lodging there?—I do not know whether he had lodgings there at the time.
671. *Committee.*] That is not what you are asked; you are asked, do you know, or do you not know, that Mr. Quinn lodged at Mrs. M'Hugh's?—I think he did lodge there.
672. *Mr. Temple.*] In point of fact, you went with Mr. Quinn to Mr. Quinn's own lodging?—I told my wife I would go to that place, and she would see me next day.
673. In point of fact, you went to Mr. Quinn's lodging with Mr. Quinn from the church-door?—Yes.
674. When was it you told your wife you would meet her at Mrs. M'Hugh's?—Because she was uneasy at my coming to town.
675. When?—The evening that I left the house.
676. I thought you said she was in Sligo that evening?—She was in Sligo on Monday; when she came home, she said she promised Mr. Philipps I should go on that day.
677. When you came away on that night, do you mean to swear you told her that you would meet her the next day at Mrs. M'Hugh's?—I did.
678. Did she come to you on the next day at Mrs. M'Hugh's?—She did.
679. Did you go out at all with her from Mrs. M'Hugh's on that day?—No, I did not.
680. Did you go out into the streets at all after you accompanied Mr. Quinn to Mrs. M'Hugh's on that day?—During the whole of the Tuesday afterwards.
681. Mr. Quinn and you had gone together?—Yes.
682. Where did you go to?—Down Castle-street.
683. Who went with you?—Mr. Quinn.
684. Where was it in Castle-street that you went?—To Mr. Doherty's.
685. Was that Mr. Townley's house?—I do not know.

686. Did

686. Did you hear speeches on behalf of Mr. Towneley from the house?—*I did not.* *Thomas O'Connor.*
687. What did you go there for?—I just walked along with him; I did not hear speeches. 30 May 1852.
688. What for?—I do not know what brought me there, but I walked along with him.
689. You had no object in going there at all?—I had not.
690. How came you to go there, if you had no object in going there?—Only that Mr. Quinn told me to walk out along with him.
691. You had no object there at all?—No.
692. Mr. Quinn took you with him when he went out?—He did.
693. How long did you stay there?—I did not stay long.
694. Did you go into the house?—I did.
695. Who did you see in the house; was Mr. Stonor there?—I did not remark; I do not know whether he was or not.
696. How came you to say that he was there, in the first instance?—I did not say any such thing; I do not mind whether he was or not.
697. When you stated at the first burst that he was, you meant that you do not mind?—I could not say it, because I do not mind that I saw him.
698. Who else did you see there?—I saw Mr. William Allen.
699. Anybody else?—There were others I did not know.
700. Were they all about Mr. Towneley's business at the election, and on the part of Mr. Towneley?—I did not remark them ask any questions.
701. Was Priest Phillipus there?—I did not see him.
702. Was it not where Mr. Towneley lodged during the election?—I do not know; I did not stay there many minutes.
703. Do you mean to say, you do not know whether Mr. Towneley lodged there during the election?—I cannot say whether he did or not.
704. Where did Mr. Quinn bring you back to?—To my lodgings.
705. To Mrs. M'Hugh's?—Yes.
706. Did you remain in the house all day?—No, I went out.
707. Where did you go to?—I went over to Mass-lane or Chapel-lane.
708. To Mr. M'Loughlin?—No.
709. To the house where you were brought first from, in Mass-lane?—Yes.
710. Who took you there?—I went over myself.
711. Who went with you?—I walked over myself.
712. Who went with you?—I met Mr. White and walked over with him.
713. Mr. White is another priest?—Yes.
714. This house you went to was Priest White's house, was it not?—I cannot say whether it was or not.
715. Do not you know that he was a priest?—I know he is, but I do not know where he lodges.
716. It was to his house you went in Mass-lane, was it not?—I do not know that he lived in it.
717. It was his house, was it not?—I do not know.
718. It was the house that he took you to in Mass-lane?—Yes.
719. Did he come for you at Mrs. M'Hugh's?—He came to Mrs. M'Hugh's, and walked over with me.
720. Whom did you see in this house in Mass-lane?—Several persons.
721. Were those persons you saw, persons whom you knew were voters?—There was some.
722. How many were there?—I do not know.
723. Fifty?—I could not say.
724. You could not swear there were not 50?—No.
725. Might there have been as many as 50?—I could not say there were.
726. There were a good number, were there not?—There were.
727. Were they all in this house in Mass-lane, where you accompanied Priest White to?—The persons that I saw inside; I do not know the number.
728. Were they all in the house in Mass-lane, where you accompanied Priest White to?—The people who were inside; I saw them there.
729. Did you remain there all night?—I did not, nor did I remain long.
730. Where did you come away to from there?—I went back to my lodgings.
731. What lodgings?—Mrs. M'Hugh's.
732. When Priest White came, did Priest Quinn go somewhere else?—I do not know.
733. Who

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733. Who walked back with you to Mrs. M'Hugh's?—I do not mind that there was any person with me.

734. Will you swear that you went back entirely alone?—I cannot say whether I did or not; I do not mind that there was any person along with me.

735. Were you sober when you went away from Mass-lane?—I do not know whether there was any person with me.

736. Were you sober when you went away from Mass-lane?—I was.

737. Will you swear that you do not know whether there was any person with you or not?—On my oath I do not mind that there was.

738. Did Priest White go back with you?—He did not.

739. Did Priest Quinn go with you?—No.

740. Did somebody from the house in Mass-lane go with you?—I do not mind that they did.

741. Will you swear that no person went back with you to Mrs. M'Hugh's?—I do not mind that they did.

742. Will you swear that they did not?—I will not.

743. Back to Mrs. M'Hugh's you went?—Yes.

744. Did you stay there all night?—Yes.

745. In whose bed did you sleep?—[*No answer.*]

746. Did you sleep with any person?—I slept with my wife.

747. Are you sure that you slept with your wife that night?—I am, indeed, quite sure.

748. Your wife did come there and sleep with you?—Yes.

749. The next morning did you go and vote for Mr. Towneley?—I did.

750. Who went with you to vote for Mr. Towneley?—Mr. Quinn.

751. Now, then, attend to me, and let me see if I have got the facts correctly from you, and you will correct me, if I am wrong; you had gone to bed on the Monday night?—I had.

752. Priest Quinn and Mr. Stonor came to your house, and you got up and dressed and went with them to Sligo?—I did.

753. Where did you get your victuals during all Monday night, Tuesday and Wednesday?—It was not a great deal I ate.

754. Where did you get it?—Mrs. M'Hugh invited me to tea.

755. Was that all you had?—Mr. M'Hugh and Mrs. M'Hugh, and my wife and I, were together.

756. Did you get any victuals in the house in Mass-lane?—I took very little in it.

757. Did you get anything to eat and drink in that house in Mass-lane?—I did.

758. Whom did you see in Mass-lane that you knew; mention some names?—I saw several persons there.

759. I want you to mention the names of such as you know; did you see a person of the name of O'Dowd?—No.

760. Are you quite sure you did not see him?—I did not; I do not mind that I did.

761. Will you swear that you did not see O'Dowd?—I cannot swear whether I did or not.

762. Did you see a person called Michael Somers?—I have no acquaintance with Somers.

763. Did you see a person called Michael Somers?—I do not know Michael Somers.

Cross-examined by Mr. Stale.

764. When you went to vote for Mr. Towneley, after you had passed the night at Mrs. M'Hugh's, did you go freely and willingly, of your own accord?—I did, indeed.

765. You say, that the Monday before the election Mr. Quinn asked you to go with him into Sligo?—He told me he was going into the town, and would I go along with him.

766. The market-day before the election, you had been asked by Mr. Phillipps whether you would vote for Mr. Towneley?—Yes.

767. And you told him you would not promise to vote for Mr. Towneley?—No; I told him I would let him know.

768. "I did not tell him whether I would vote for Mr. Towneley; I would vote for my church and my principles?"—Those are the words.

769. I suppose

769. I suppose you informed your wife what you had told Priest Philipps, and then she got angry with you for not telling him at once that you would vote for Mr. Towneley?—Yes.

770. You have been asked about having said something to Mr. Graham, not quite consistent with what you have told us to-day; were you drunk when you saw Mr. Graham?—I was tipsy at the time.

771. Did anything happen to make you tipsy?—He treated me.

772. Did you, in point of fact, get something which elevated you at Mr. Graham's?—I did.

773. When you were not quite in a state of sobriety, did you make a communication to him which you do not remember now?—I do not remember it.

774. Was that taken down in writing?—At that time?

775. Yes?—I do not know.

776. You told your wife you would meet her at Mrs. McHugh's, when you went on the Monday?—Yes.

777. At that time did you know that Mr. Quinn, the priest, lodged there?—I understood that he did.

778. Do you know a man of the name of Thomas Smith?—I do.

779. Was not he an agent and a very active partisan of Mr. Somers?—I could not say that he was.

780. Was he an active partisan of Mr. Somers?—He was, by a conversation he had with me.

781. Did Mr. Thomas Smith offer you a bribe to vote for Mr. Somers?—He told me that I should vote for Mr. Somers.

782. Did he offer you anything to induce you to do it?—He said, on Saturday, when I was in town, that I should stop in town; I told him I would not, and would go home; he said, if I would go along with him to Mr. Smith, he would get a receipt.

783. Did you owe a year's rent, or a year-and-a-half's rent?—I do not know rightly what rent I owe; I do not think I can owe more than three half-year's.

784. Do you think you owed three half-year's rent then?—I do not exactly know that I owe more.

785. Was Mr. Smith to get you a receipt for the year's rent?—Yes.

786. Did he offer you this, if you would vote for Mr. Somers?—He told me to go along with him down to Mr. Smith.

787. You say that on the Saturday you were in Sligo?—Yes.

788. *Committee.*] Was Mr. Smith canvassing for Mr. Somers?—He was canvassing me for him.

789. *Mr. Slade.*] You say Mr. Smith wanted you to stay in Sligo on the Saturday?—Yes.

790. What did he say?—He told me, that if I would go along with him to Mr. Smith, he would get a receipt for a year's rent.

791. *Committee.*] What did he mean by that?—That was owing.

792. Owing to whom?—To the landlord.

793. Who is the landlord?—Mr. Creighton.

794. What passed between you and Mr. Smith?—He told me to walk down with him to Mr. Smith.

795. Who told you?—Another Smith.

796. *Mr. Slade.*] Is that other Smith the head agent of Mr. Creighton, the landlord?—He receives the rent.

797. *Committee.*] What rent did you owe at that time?—A year's rent is 8 *l.* 14 *s.*

798. Was 8 *l.* 14 *s.* owing?—That was a year's rent.

799. Was 8 *l.* 14 *s.* owing to the landlord?—Yes.

800. *Mr. Slade.*] Did this Mr. Smith say, that if you would walk down to Mr. Smith, you should have a receipt for a year's rent?—He axed me to go down along with him; I told him I would defer it to Tuesday, and that I should be in Sligo on Tuesday, and I should see him; I heard his offer in a heedless way.

801. *Committee.*] You did not accept his offer?—I did not.

802. What did you say about "heedless"?—I took his offer in a heedless manner, and said I would see him on Tuesday.

803. *Mr. Slade.*] I believe you let Mr. Towneley, or his friends, know of this offer that was made to you by Mr. Smith?—They wanted to know it from me, and I told them I would not answer such questions.

804. Were you not taken into Mr. Walker's office, about this very matter?—They put questions to me, and I told them I would not answer the questions;

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that I did not care what was the creed ; that I was never guilty of bribery against any person.

805. Did you intimate to Mr. Towneley's friends and supporters, that you had been tampered with by Mr. Smith ?—No, I told them that I would not answer the questions at all.

806. *Committee.*] Answer the question ; did you tell Mr. Towneley's friends, or did you not tell them, that Mr. Smith had been making this offer about the rent ?—I did not tell them at that time.

807. Did you tell them at all ?—I did, since.

808. Mr. *Slade.*] You told your wife about it ?—I did.

809. At any rate it got to their knowledge, and they began to ask you questions about it, did they not ?—They did.

810. Did they not take you to Mr. Walker's to swear an affidavit about it ?—No ; they did not speak to me about an affidavit, but they asked me questions, and I told them they were questions I would not answer.

811. They took you to Mr. Walker ?—They did.

Re-examined by Mr. Temple.

812. I think you said that Mr. Stonor went with you to Mr. Walker's ?—I went along with Mr. Quinn.

813. And Mr. Stonor ?—Mr. Stonor was in the office.

[The Witness withdrew.]

Michael Somers, sworn ; Examined by Mr. James.

Michael Somers.

814. ARE you a little deaf ?—Yes.

815. Were you a voter at the last election ?—I had a vote at the last election.

816. What are you by business ?—A tailor by trade.

817. How did you vote at the last election ?—I promised my vote to Mr. Somers ; I was determined to vote for him.

818. How did you vote ?—I voted for Mr. Towneley.

819. Had you promised your vote to Mr. Somers ?—I promised my vote to Mr. Somers ; I was determined to vote for him, but I knew that if I voted for Mr. Somers I should be in danger of having my life taken, if I went out after night.

820. Explain to the Committee what you mean by being in danger of your life ?—I had seen the danger approaching by the mob of Sligo, and I supposed that if I went against Mr. Towneley, they would have revenge upon me.

821. How long before the election had you promised your vote to Mr. Somers ?—I promised my vote to Mr. Somers about three days before the election.

822. Did you promise it to Mr. Somers himself, or to any other person ?—I promised it to Mr. Somers.

823. I believe, before, you had no vote for an election ?—No.

824. Did you intend to vote for Mr. Somers ?—I meant to vote for him.

825. Did Mr. Towneley canvass you for your vote ?—He did.

826. Who was with him ?—Dr. Phillips was with him.

827. Is Dr. Phillips the Roman-catholic priest ?—Yes ; attorney Walker was with him ; Dr. Tucker was with him ; there were a few others that I do not remember.

828. How often did Mr. Towneley ask you for your vote ?—He only asked me at that time ; persons asked me afterwards for it ; I always told them I would vote for Mr. Towneley.

829. When Mr. Towneley canvassed you with the priest, Dr. Phillips, did you refuse or promise your vote ?—I told him at the time I would not vote for him ; that I was determined to vote for Mr. Somers, and could not promise my vote.

830. Did you tell him that in the hearing of the priest, Dr. Phillips ?—Yes.

831. Did Dr. Phillips, in Mr. Towneley's company, press you for your vote ?—No ; but the morning before the election, there came a gentleman to me, and asked me would I come and vote for Mr. Towneley ; I said I would not.

832. Do you know who that was ?—I do.

833. Who was it ?—He was a clergyman, Mr. White.

834. Priest White ?—Yes.

835. Was that on the morning of the election ?—The morning before it.

836. Put

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836. But what time in the morning did Priest White come to you?—About the hour, I think, of 10 o'clock.

837. What answer did you give to him?—I told him that I made my promise to Mr. Somers to vote for him, and I would not go back on it.

838. What did he say to you when you told him that?—He told me that I was wrong to do so; I said I would venture to vote for him whether it was right or wrong. He said at the same time, that I might expect to be compensated by Mr. Towneley.

839. He said so?—Yes; he did not mention Mr. Towneley, but Mr. Towneley's party; I knew it was Mr. Towneley he meant.

840. This was Mr. White?—Yes.

841. Do you remember being in the street on the day before the election, when you met Mr. M'Partlin?—I do.

842. Did Mr. M'Partlin ask you to go anywhere?—He asked me to go with him to take a treat.

843. Did you go anywhere with him?—I did.

844. Where did he take you to?—He took me to the house of Mrs. M'Guran.

845. Did he give you anything to drink?—Yes; I took half a glass of grog.

846. Had you been drinking before on that day?—No, not on that day; it was only after coming from my own place at the time he brought me and took me there.

847. When you came out, did you meet Priest White?—I did.

848. Whereabout did you meet Priest White after you came out of the public-house?—I met him in the kitchen, a little off the parlour, where I sat and drank.

849. In the public-house?—Yes.

850. Had Priest White gone in with you when M'Partlin took you in?—M'Partlin and I were in the act of coming out at the time Mr. White met me at the door of the parlour.

851. Was there any mob outside the house at that time?—Not that I had noticed.

852. You had not noticed any at that time?—Not at that time; the town was in peace.

853. Did Priest White speak to you?—He did.

854. Did he ask you to go anywhere?—Yes.

855. Where to?—He asked me to walk with him in that direction, up the street.

856. Did you know at that time where he was going to take you?—No; so my oath, I did not.

857. Where did he take you to?—He took me into what we call the treating house.

858. What do you mean by the treating house?—Where there were a number of voters for Mr. Towneley sitting.

859. Was that the house in Mass-lane?—Yes.

860. Did any mob follow you when Priest White took you up to the house in Mass-lane?—No mob followed me when I went with him.

861. When you got to the house with him, who did you find there?—When he knocked at the door, there were a number of persons inside; I could not reckon them all; I think there were about 50 or 60.

862. Priest White knocked at the door of the house in Mass-lane; do you know who lived there?—It was the house that was formerly occupied by Dr. Philipps.

863. Did Priest White knock at the door?—Yes.

864. The outside door?—When he knocked at the door it was opened, and I walked in with him.

865. What room did you go into?—He walked up-stairs, and in a large front room, the persons all sat, and some in the hall.

866. Was the door locked which was opened for you to go in?—The door was opened.

867. Was it locked before?—I suspect there had been a lock or a bolt on it.

868. Who went into that room with you?—Mr. White went in with me; he did not stop many minutes there.

869. When he went out, were you left in that room?—Yes.

870. About what time of the day was it, do you think, that you were taken to this house?—I think it was about 11 o'clock.

871. Who

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871. Who did you find in this room up-stairs?—I knew a good many of them by name.

872. Tell me how many persons you found there?—There were perhaps 60 persons.

873. Can you give the Committee the name of any person whom you found in that room, when you first went in at 11 o'clock?—When I went there, they were all rejoiced to have me there.

874. Can you give the names of any persons?—Yes.

875. Give the names?—James Cawley.

876. Was he a voter?—Yes.

877. Who else did you find there whom you knew?—I remember a man of the name of Delahide.

878. Do you know John Brennan?—Yes.

879. Was he there?—Yes; but I cannot say he was there when I went in.

880. Do you know James Clements?—I do not know him by name.

881. Do you know Patrick Colleary?—No.

882. Do you know Pat O'Dowd?—I do.

883. Was he there?—He was. I have seen a man of the name of Pat Begley; he is now dead.

884. Do you know Michael Bruen?—Yes.

885. Was he there?—Not at that time.

886. Did he come in while you remained there?—I spent the latter part of the night, from one o'clock until five o'clock in the morning, with him.

887. You got there about 11 o'clock?—Yes.

888. When did you get away from there?—I did not get out from there until I came to the tally-room.

889. On the polling-day?—Yes; only to cross the gateway from this house to Mr. White's own house.

890. What time did you poll?—I think about six or seven o'clock.

891. Before you polled, were you taken to the tally room?—Yes.

892. Is that at Mr. Gethin's house?—Yes.

893. Who took you to the tally-room?—One young man of the name of Brennan, in Market-street.

894-5. Did any one else go with you to the tally-room?—A young man of the name of Canlist.

897-9. How long did you remain at the tally-room when you went to vote?—Somewhere about two hours, I think.

900-1. What were you doing at the tally-room all that time?—We were just sitting in the upper room.

902-3. Were you waiting there with other people who were going to vote?—Yes; there were other people there.

904-5. Who went with you from the tally-room to the polling-place to vote?—Well, sir, to the best of my knowledge, a man of the name of Terry Fitzpatrick, and a man of the name of Phil Hennessey.

906-9. Did you see either of the priests as you were going to the poll?—I had not seen any of the clergy until I went up to the poll.

910. At the poll, did you see any of the clergy?—When I went to the poll Dr. Phillips was standing there.

911. How near was he standing to you at the time you voted?—Just in the rear of the gentleman who was writing.

912. Did he say anything to you?—No; he remarked to the gentleman at the time that I was hard of hearing, and that he should speak a little louder.

913. Mr. Phillips was at the poll, was he?—Yes.

914. Was he standing in the booth as the voters came up?—Yes.

915. Do I understand you to state that you were at this house, to which you were taken in Mass-lane, from 11 o'clock, the day before the polling, until between six and seven o'clock, when you went to the tally-room?—Yes.

916. How did you pass the night?—I passed the night very uneasily; I made several attempts to get out, and I was refused; they said it was against the rule, and that no man should be let out. I said at the time that I should not be kept there; I did not know for what reason I should be kept there, and I had my business to attend to, and my family at home.

917. When this man, M'Partlin, took you into the public-house and gave you drink, and you met Mr. White, the priest, in the kitchen, did you know where you

you were going to be taken to?—I did not, on my word; if I had, I would not have gone there.

918. Did your wife know where you were?—No, she did not know. In the morning I went to the gentleman's office, and she got to know a short time afterwards that I had been taken away.

919. During the night, did your wife come?—She came several times in the day, I believe.

920. That is after 11 o'clock, when you had been taken to this place?—Yes.

921. Was the room door locked when you were there?—No, the room was not locked; there were men outside guarding the door.

922. How many men were guarding the door?—Sometimes two, and sometimes three.

923. After you had been taken to this place, during the day did you hear that your wife had come to look for you?—I went to the window, and I told a person I knew to go down and tell her I wanted to see her.

924. Did your wife come up?—Yes; I did not see her.

925. Did you hear that she had come?—I did.

926. Did you make any request to Mr. White, the priest, to allow you to see your wife?—Oh yes; several times.

927. Did Mr. White come amongst the people who were locked up there?—Yes; he called there a few times.

928. Where did you see Mr. White, when you made the request to him to be allowed to see your wife?—The request I made was, that I should not be kept there.

929. Did you say that to Mr. White?—I did.

930. Where was Mr. White when you made that request of him?—In the hall, standing.

931. Did you ask him to be allowed to see your wife?—I asked him to allow her to come in, or me to go out.

932. Did you tell him that your wife had got no money for your children or for herself?—There was a message delivered to me by another gentleman, Mr. Quinn, that my wife wanted some money from me, and I asked him to allow her to come in and I would see about it. She asked liberty from him to come in; he said it was no place for females.

933. Who said that?—Mr. Quinn, I understood.

934. Mr. Quinn, the priest?—Yes; and he told me at the same time that my wife wanted money. I said I would give no money till I had seen her; he went out again himself to see her, and he returned to me and said he had done that himself.

935. You mean that he had given her money?—He said that to me.

936. I believe your wife has since died?—Yes.

937. Did you go out at all until you were taken to the tally-room?—I did not go out into the street until I was brought to the tally-room.

938. You stated to the Committee just now, that you did not go out of the room except crossing the passage; how was it you crossed the passage?—A gateway divided the two houses.

939. Were you anxious to escape home if you could have done so?—Yes.

940. And you asked Mr. White several times to let you?—I asked many persons.

941. How many priests did you see there during the time you were confined, from 11 o'clock, the day before the polling, until the time you went to the tally-room?—I am certain I saw three gentlemen there.

942. Who were they?—I have seen Mr. White, Mr. Quinn, Mr. Nangle.

943. Is he the curate?—Yes.

944. Did you see Mr. Gethin there, to whose office you went in the morning?—The time has been so long, that I think I could not say that I saw Mr. Gethin there.

945. To the best of your recollection, did you see Mr. Gethin come to that place during the time you were confined?—Yes; and go upstairs where the voters were.

946. Being there from 11 o'clock, were you confined against your will?—I was.

947. You state that positively?—Yes.

948. Being there from 11 o'clock until early the next morning, when you went

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to the tally-room, how did you pass the night?—The persons who were there enjoyed themselves with some eatables and drinkables.

949. Were there eatables and drinkables given?—Yes.

Mr. Slade submitted to the Committee whether this was a proper course of examination for the purpose of proving treating.

The Committee decided that the examination should proceed.

950. Mr. James.] Was there any music?—Yes.

951. What was the music?—There was a fiddle-player.

952. You say there were about 60 persons when you went in?—Yes.

953. Were other persons brought in during the night and during the evening of the day?—During the day; in the afternoon a good many men came in.

954. Between 11 o'clock, when you were taken there, and the morning when you were taken to the tally-room, what people did you see there; did you see Pat O'Dowd there?—I did.

955. "Patrick O'Dowd, 17 High-street;" is that the man?—Yes.

956. Owen Bruen?—Owen Bruen spent the night at Mr. White's room; we drank punch together during the night.

957. Was he made drunk or not?—He was not to say drunk.

958. Was he intoxicated?—Yes.

959. Is that "Owen Bruen, house and yard, No. 3, Wine-street"?—Yes.

960. Pat Kerr; was he there?—Yes.

961. Was he brought in, or did you find him there at 11 o'clock in the day?—I understood that man was at his own liberty.

962. Did you see him there during the night?—Yes.

963. Do you mean that he was not confined there against his will?—No.

964. Was he there?—Yes.

965. Was he eating and drinking?—Yes.

966. Was Patrick Kerr intoxicated or sober?—He was intoxicated; he was able to hold his lunks.

967. Is that "Patrick Kerr, shop, store and yard, 29, High-street"?—Yes.

968. Mick Delahide?—I know him well.

969. Was he there?—Yes; not in the room with me at a late hour of the night.

970. Where was he?—In the house I was brought to first, I believe.

971. Which house?—The treating-house.

972. Was Mick Delahide drunk or sober?—I cannot account for him after I left the room that night.

973. When you saw him, was he drunk or sober?—He was drunk.

974. Is that Mick Delahide, "Plot of ground, 11, Holborn-street"?—Yes.

975. What is he by trade?—He is a blue dyer.

976. Terence Fitzpatrick; was he there that night?—He was not there; not with me.

977. Where did you see him?—At the tally-room next morning.

978. Was Fitzpatrick one of the men who kept the door?—Fitzpatrick walked with me across from the tally-room to the court-house.

979. Bally Fitzpatrick; do you know him?—That is his father.

980. Was he there that night?—I did not see him.

981. James Cowley; was he there that night?—He has been in the treating-house.

982. Was he there the whole time?—I consider he was, but after I was not there, I cannot account for him.

983. Was he there at the time you were taken there?—He was there all the time I was there.

984. You found James Cawley there when you were taken there at 11 o'clock in the day?—Yes.

985. Did he remain there all that time until you were taken to the tally-room?—He was there when I was taken.

986. Is that "James Cawley, cabin and land in Finisclin"?—Yes.

987. Do you know Michael M'Andrew?—I do.

988. Was he there?—Yes.

989. Was he there the whole time, or only part of the time?—He has been there all the time I have been there.

990. Is

990. Is that "Michael M'Andrew, house, offices and garden, No. 41, Gore-street"?—Yes.

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991. Do you know Peter Harte?—I know a man of the name of Hall.

992. Do you know Frank M'Donough?—Yes.

993. Was he there?—I do not remember seeing Frank M'Donough; there was a man there whose name I was not acquainted with.

994. Gal Martin?—I do not know him.

995. Tom Finnegan?—I am not acquainted with him.

996. Can you give the names of any other people whom you knew to be voters who were there, besides those you have given?—Yes.

997. Give their names?—A man of the name of James Healey.

998. What time was he brought there?—I do not know the time he was brought there, but I saw him in the room where I was the latter part of the night, and he drank with me there. There was a man of the name of John Barnes.

999. "James Healey, No. 11, Knox-street"; is that the man?—Yes.

1000. At what time did Barnes come in?—He was there, I think, at one o'clock at night.

1001. Do you know the names of any other voters; do you know Pat Rooney, the younger?—No, I am not acquainted with him.

1002. Can you give the names of any other voters who were there?—Not exactly now; there were a great number of them; I am not much acquainted with some of them.

1003. There was music there, and singing?—Yes.

1004. Before you went to the poll in the morning, did you see Mr. White, the priest?—Not immediately before I went to the poll.

1005. Before you went in the tally in the morning did you see him?—I do not know that I saw him on that morning.

1006. How many of you went from the treating-house in Mass-lane to the tally-room, to Mr. Gethin?—I could not say; most of the number who voted for Mr. Towneley were there.

1007. You say there were about 60 of you in that room altogether?—I think upwards of 60 went.

1008. Did you go in a body from the treating-house to the tally-room?—They walked two-by-two.

1009. To Mr. Gethin's office?—They walked two-by-two; one on each side of me, lest, as they thought, I should make away; I thought that was the idea they had.

1010. If you could have escaped, would you?—I would, certainly; I would have voted for Mr. Somers if I was left to myself.

1011. You were all walked two-and-two, you say, up to Mr. Gethin's office?—Yes; there was one on each side of me.

1012. To guard you?—Yes.

1013. Did you walk two-and-two or three-and-three?—Two-and-two they walked on before me, but I had one on each side of me; I considered they were in fear that I would go, so they watched me well.

1014. You voted for Mr. Towneley?—I did.

1015. Did you vote against your will?—Why, undoubtedly; I was brought against my will.

1016. Were you under fear?—I would vote for Mr. Somers if I was left to myself, but I knew if I went back they would have revenge on me; for there had been an attempt to knock me on the head with a stone when they heard I was determined to vote for Mr. Somers, within a few yards of my house.

1017. When was that?—About three days before the election, at 10 o'clock at night.

1018. You were hurt with a stone?—There was a stone fired at me; it missed me and landed on the wall, and I knew from that what I might expect.

1019. As you were going along to the poll do you recollect meeting Mr. Somers?—Yes.

1020. Did you observe whether anything was done to Mr. Somers, as you met him?—At the time I was going to the poll Mr. Somers came to me, and I was not allowed to stop to speak to him.

1021. Who interfered with your speaking with Mr. Somers as you were being taken to the poll?—Two persons pulled me on as quickly as possible, and I could not look back, for others were engaged with Mr. Somers.

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1022. What were they doing to Mr. Somers?—I could not see at the time.
 1023. Did you wish to speak to Mr. Somers?—I wished I could speak to him, and that I could have my liberty to go with him.
 1024. And you were not allowed to speak to him?—I was not.
 1025. Did you see Priest Phillipps at that treating-house after you were taken there, between 11 o'clock and the next morning?—I cannot say that I have seen Mr. Phillipps in that treating-house.
 1026. But you saw Mr. White, the priest?—Yes.
 1027. And Mr. Quinn, the priest?—To the best of my recollection, Mr. Quinn.
 1028. And Mr. Nangle?—Yes.
 1029. Is that the same Mr. White who visited you in that room whom you found waiting in the kitchen, after M^r Partin had taken you and given you some brandy?—Yes.
 1030. Were you intoxicated?—I would not drink to that excess; I never made it a custom; they wanted me to take more than I took; whenever I made an attempt to get out, they would like to treat me, that I might have patience.
 1031. Explain what you mean by having patience?—At the time I asked liberty to go out, they would ask to treat me, and tell me to have patience.
 1032. You were given more drink?—Yes.

Cross-examined by Mr. Slade.

1033. You say you were very anxious to vote for your namesake?—Yes.
 1034. They would not let you?—They did not hold my tongue; at the same time, as I remarked, I knew the consequences.
 1035. Did you at one time wish to vote for Mr. Towneley?—Never.
 1036. Did you not sign a requisition for him?—I had no wish with regard to voting for him.
 1037. Did you not sign a requisition to Mr. Towneley to come into the town?—No.
 1038. *Committee.* You are asked whether you signed a requisition?—I was asked by two men to sign a requisition; I met those two men in a spirit-house, and they asked me to put my name to it; I did not know the danger of it; I refused to do so. The day after I sent to John Burns, to know what did he want with me, and the message was, that he would come to let me know. He came down on that day with a paper, and I said, "What does it consist of, John?" "Why," says he, "if he does not come here shortly, be used not expect to come again." Those are the words he used; I did not read it.
 1039. Mr. Slade.] You know the contents of it?—I put my hand with a pencil, and signed "Michael Somers."
 1040. He told you the contents of it?—I could not hear him at the time; I did not know the contents of it.
 1041. You signed what you did not know the contents of?—Yes.
 1042. You have signed something else, have you not?—No.
 1043. Have you not signed a declaration that you had neither been intimidated, nor bribed, nor treated?

Mr. James objected to the question, and submitted that any document referred to should be produced.

1044. Mr. Slade.] Have you never stated that you were neither intimidated, bribed, nor treated?—No, I never said that.
 1045. Will you swear that you never have said you were neither intimidated, nor bribed, nor treated by Mr. Towneley's party?—In the presence of John Brennan?
 1046. At any time, by anybody?—I often said I considered that Mr. Somers' petition would not take effect; at the same time, I did not say that I was not intimidated.
 1047. Did you not state that you were not intimidated, bribed, or treated?—I never said it to a man.
 1048. You swear that?—I said it to no man.
 1049. You swear that?—I do swear it.
 1050. How long have you been away from Sligo?—I left Sligo on the 3d of April.
 1051. With whom have you been living all the time?—I have been at Walham Green.

1052. At

1052. At Mr. Somers' expense?—I do not know at whose expense, but I never received a penny.

1053. Have you been paying for anything yourself?—I have received no money; I have paid no money; I was taken by the gentleman to his place.

1054. By what gentleman?—The man I lodge with.

1055. Who is he?—Thomas Something; I do not remember his surname.

Mr. James.] Wilcox.

1056. Mr. Slade.] Did you know him before you came to London?—No.

1057. Who took you to him?—Mr. Graham introduced me.

1058. The gentleman who sits there?—Yes.

1059. Did you leave your wife behind you?—I did.

1060. Who is supporting her?—It is very hard for me to say; I suppose by her own means, and anything she can do.

1061. Did you ever state to Brennan that Graham promised you 40*l.* to prove treating and bribing, and to send you and your family to America?—That he promised me that?

1062. Yes.—I deny it.

1063. Did you ever say so?—I never told him that he promised me 40*l.*

1064. Did you ever say to Hurst that Graham promised you 40*l.* to come and prove treating and bribery?—No.

1065. Do you swear it?—I can swear it; he never promised it.

1066. Did you tell him anything of the sort?—I never told him that I was promised 40*l.*

1067. Did you tell him you were promised anything by Mr. Graham?—I declare I never was.

1068. Did you tell him you were?—I told no man that I was promised money by Mr. Graham.

1069. Did you tell him you were promised anything?—From whom?

1070. From anybody, to come and prove this case; on your oath, sir, did you tell Hurst you were promised anything, by anybody, to come and prove this case?—I never told Mr. Hurst that I was promised anything from either Mr. Brennan or Mr. Graham.

1071. Did you tell Mr. Hurst that you were promised by anybody anything?—I never told him; they were all expecting money from Mr. Towneley.

1072. Who?—All the voters who had not got it were expecting money.

1073. What did you say?—I suppose, I expected, as well as another.

1074. You see, there was something said about money?—By whom?

1075. By Hurst.—No.

1076. Who was it said they expected money?—I cannot tell; I said no such thing to any man.

1077. Will you swear you never did mention, to any man, the promise?—I am on my oath.

1078. You never did mention it?—Never; that I expected 40*l.* from Mr. Brennan.

1079. Or any sum whatever?—From Mr. Graham, I never did.

1080. From anybody?—I supposed, if I voted for Mr. Somers, I might be apt to be compensated by Mr. Somers at some time; but at that time, I never got anything.

1081. Then you did say you might be compensated by Mr. Somers, if you had voted for him?—I suppose that would lie with his own generosity.

1082. Did you say so?—I say so now.

1083. Did you ever state to any one that you were promised any reward, of any sort, to come and swear here, in this room?—From Mr. Towneley?

1084. From anybody.—All that I tell you is, that I expected Mr. Somers might do something for me, if I would vote for him.

1085. Committee.] You are not asked as to voting for him; the question you are asked is, have you said to anybody whatever, that you were promised something for coming here to prove the case against Mr. Towneley?—No; I never was promised.

1086. You never said anything of the sort?—No, I never did.

1087. Mr. Slade.] Do you know Mr. Hurst?—Yes, I do know Mr. Hurst.

1088. Did you never state to him that you had been promised a reward, on the part of Mr. Somers, to come and swear the case here?—I am on my oath; I

Michael Samers.

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never did; he is a man I never had the slightest correspondence with; I never spoke to him but very seldom.

1089. In Mr. Hurst's shop, in Sligo, did you not speak to him on this subject?—I never did.

1090. Did you tell him that you were promised to be sent to America?—No, I never did.

1091. You and your family?—No; I never told him so.

1092. Were you promised?—No, I was not promised.

1093. Are you in expectation now of going to America?—I am not going to America; nor am I to be sent there.

1094. There was no such expectation held out?—It was a report in Sligo that I was to go there; it was not for me to report it; I knew nothing of it.

1095. Who was it for then?—I cannot say who reported it.

1096. Who was to go to America, if not you?—I am not certain; I do not know.

1097. Was it not your family?—I never had the slightest idea of going to America.

1098. Was it not some of your family?—No, none of my family.

1099. Now, about going to vote, and the house in Mass-lane; when Mr. White asked you to go with him, do you say there was no mob in the street?—He asked me to come and speak to him; I walked with him, and he dropped me there.

1100. When you got to the house in Mass-lane, did you go in of your own accord?—I walked in with him to the place, when he got the door open.

1101. You went of your own accord?—Of my own accord I went with him.

1102. Are you sure the door was locked or bolted?—I could not say; but when he knocked, the door was opened by the men who stood inside.

1103. Will you swear that the door was either locked or bolted?—I have seen it inside, and I have seen it bolted.

1104. You have seen the bolt shot?—I have seen the spring of the bolt pulled oftentimes.

1105. Was there anybody at the door when you went in?—I remarked one or two of the men who were opening the door when I went in.

1106. You say the people there all seemed rejoiced to see you?—They were rejoiced to see me, a good many of them.

1107. Will you tell us how they showed their joy at receiving you amongst them; did they say, "Here comes" so and so?—They clapped hands and cheered.

1108. Did you take that to yourself as a cheering for your appearance amongst them?—I just looked at them, and they shook hands with me.

1109. Did it occur to you to tell them they had made a mistake, and that you were not one of them?—(No answer.)

1110. You hear, very plainly, Mr. Irishman; answer that question?—I do not understand that word.

1111. Why did you not tell them you were not one of their party?—When I had got there about 15 minutes or half an hour, I told them I was not one of the party; and I came down stairs, and I asked liberty to go out.

1112. Why did you not tell them at first, when you were cheered and their hands clapped, that it was all a mistake, and that you were not one of the party, but one of the enemy?—Perhaps if I had I might have been badly treated.

1113. You think so?—Yes.

1114. You thought that at first when you went in?—Yes; did they not very well know that I was not one of the party when I was taken in, in the way I was?

1115. Why were you not afraid when you did tell them?—When I had seen other men going out, I thought I should get the same liberty.

1116. And then you told them you were not of the party?—I did not tell them exactly that I was not one of the party.

1117. You have said, that when you had been there about 15 minutes, you told them you were not one of the party?—I did not say that I was not one of the party, but I asked liberty to go out.

The short-hand writer read a previous answer as follows:—"When I had got there about 15 minutes or half an hour, I told them I was not one of the party, and I came down stairs, and I asked liberty to go out."

1118. Is it true that when you had been there 15 minutes or half an hour you told them you were not one of the party?—I came down stairs, and asked liberty to go out.

1119. Did you tell them when you had been there 15 minutes or half an hour you were not one of their party?—That word did not pass from me; I did not mention that word.

1120. Did you give them to understand you were not one of the party?—I gave them to understand several times that I was determined not to vote for Mr. Somers, and that they should let me go where I thought proper; I asked for liberty to go out and allow me to vote for any gentleman I thought proper.

1121. Did you, in point of fact, leave the house that night with a man named Owen Connellan, and return back again?—It is no such thing; I never got out with any man, until I was brought to the tally-room next morning.

1122. You never went out during the day, or the night?—Not more than from one door to another.

1123. You say there were sometimes two men, and sometimes three men, guarding the door?—Yes.

1124. Can you give their names?—There was one man of the name of M'Loughlan.

1125. What is his Christian name?—I cannot say.

1126. Are you sure that a man named M'Loughlan was one of the men guarding the door?—It was not John M'Loughlan.

1127. Are you sure there was a man of the name of M'Loughlan guarding the door?—Yes; I do not know his Christian name.

1128. Can you tell me, so that I may be able to ascertain the name of any man who was guarding the door, as you call it?—Unless that man, I cannot.

1129. You will not give his Christian name?—I cannot.

1130. Can you describe where he came from?—I am not acquainted with many persons in Sligo.

1131. *Committee.*] Do you say that you do not recollect any of the people who were guarding the door?—I do not know their names distinctly.

1132. Did you see people guarding the door?—I saw three men, and sometimes two, guarding the door.

1133. But you do not know their names?—I do not.

1134. Not one of them?—No, unless except this man M'Loughlan.

1135. *Mr. Slade.*] This was close by the police barrack?—A short distance from it.

1136. How far?—Not far.

1137. Fifty yards?—More.

1138. Were you prevented putting your head out of the window?—I consider that the window of the police barrack is not inclining on that plane.

1139. I suppose the police walked up and down?—I did not notice any of the police.

1140. I suppose you did not try?—I had not noticed any of the police that day.

1141. I understand you to say, that your great anxiety was, to get your wife in, or to be let out yourself?—Yes.

1142. And that Mr. Quinn said that was not a proper place for females, and that your wife should not come to you; is that true?—Yes; so I heard.

1143. You then said that your wife wanted money?—Yes; Mr. Quinn brought me a message that she wanted money, and I told him I would not give money until I saw her myself, and to allow her to come in.

1144. Then he said it was no place for females?—He went out, and told her it was no place for females.

1145. And then, I believe, he said he had given her some money?—He came in, and told me he had done that himself.

1146. You say that you asked many persons, being anxious to escape; give us the name of any person whom you asked?—I applied to the gentlemen to give me leave to go out.

1147. Who?—I asked Mr. White for liberty several times.

1148. You asked Mr. White to let you out of the house?—Yes.

1149. Did you ask Mr. White for leave to get out for any other purpose than communicating with your wife?—I wanted to get out and get home.

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1150. You told him you wanted to go to your wife?—When she was not allowed to come in, I wanted to get out.
1151. And you told Mr. White that?—Yes.
1152. When you were going up the next day to the tally-room, two-and-two, you say one man walked on each side of you?—Yes.
1153. I do not think you gave the names of those two men; who were they?—The men who walked with me?
1154. Yes.—Terence Fitzpatrick and Phil Hennessey.
1155. What time of the day do you say you polled; early in the morning?—I think something like six o'clock, or a little after.
1156. When do you say you polled?—I think between six and seven o'clock.
1157. When did you vote at the booth?—In the day?
1158. Yes.—Somewhere about seven o'clock, I think it was, to the best of my opinion.
1159. Did you tell anybody during your passage from the tally-rooms to the booth that you were going to poll against your wish?—I do not remember; there were a few voters with me, who were inclined to go to Mr. Somers, if they could get their liberty.
1160. Did you tell anybody, as you were going to the poll, that you were inclined to vote for Mr. Somers?—No, I did not tell any person; I had no person to tell.
1161. When you got to the booth, there were persons who took the votes for Mr. Somers, as well as persons who took the votes for Mr. Towneley?—I remarked before, the danger that would have attended me if I had voted for Mr. Somers at the time.
1162. You expected that you would be murdered?—I did expect that my life would be taken if I voted for Mr. Somers.
1163. Has anybody lost his life for voting for Mr. Somers; you said you were afraid of losing your life?—Yes.
1164. Has anybody lost his life?—No; I do not imagine there was at that time.
1165. Was there any assault upon any voter, for voting for Mr. Somers?—It is evident enough, when Mr. Somers got ill treated.
1166. Do you know of any voter getting assaulted in voting for Mr. Somers, and if so, give me his name?—I knew the danger to me if I had done so; it was that which caused me to vote for Mr. Towneley.
1167. Committee.] Did you mean distinctly to state to this Committee that you wished to vote for Mr. Somers?—I declare that I wished to vote for Mr. Somers.
1168. What influenced you, under those circumstances, to vote for Mr. Towneley?—The only thing that influenced me to vote for Mr. Towneley, was a fear that the party I met intoxicated in the street, if I walked out after night, would have revenge by giving me a blow which would kill me.
1169. What were you afraid they would do to you?—Beat me.
1170. You voted for Mr. Towneley, because you were afraid that if you voted for Mr. Somers you would be beaten; is that what you were afraid of?—Yes; that was the cause, chiefly.
1171. It is not all the cause then; what was the other cause?—The night before I was taken to the room a party surrounded my place, and there came some fellow in to light a match who never came into my place before, and made an inquiry whether I was in; I was upstairs in my room; and one of them came upstairs, and said that a gentleman wanted me up the street, a clergyman; I said I would not go out for any man that night, seeing the party outside; I thought the windows would be smashed in; but there was one man who kept the mob back when they were going to break the windows.
1172. Do you mean to say, that in addition to the fear of being beaten, you thought they would damage your property?—Yes.
1173. Had you that fear?—Yes.
1174. Was there any other reason?—The chief reason was that.
1175. Was there any other reason?—Not more than this; that Mr. White said I should be compensated.
1176. Did some one tell you that you would be compensated?—Mr. Towneley did not tell me.
1177. Who told you?—Mr. White.

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1178. Priest White?—Yes.
1179. He told you, that in the event of your voting for Mr. Towneley, you should be compensated?—Yes.
1180. What was the compensation he said he would give you?—He did not exactly say any certain thing; but that I would be compensated well by him.
1181. He did not tell you how you were to be compensated?—No.
1182. Then there was something else besides fear which induced you to vote for Mr. Towneley?—Those are the only two causes.
1183. You said before “chiefly;” I want to know whether the fear of being beaten, principally induced you, or the promise that you would be compensated?—I consider it was more the fear of being beaten.
1184. It was more the dread of mischief to be done to you than the hope of reward which induced you to vote for Mr. Towneley; is that the case?—Yes; I expected that Mr. Towneley would compensate me, because the gentleman told me.
1185. What did you expect he would give you?—I supposed he would give me 20*l*.
1186. What induced you to expect 20*l*?—£.20 was not mentioned to me; the words were that I would be compensated; and I heard people say it would be no less than 20*l*.
1187. Who did you hear say that it would be no less than 20*l*?—John Burns, the man who voted for Mr. Towneley, and other men told me that my name was the third on Mr. Towneley’s list, for, I believe, 23*l*.
1188. Did you get the 20*l*?—No.
1189. Have you got anything?—No, not more than being treated.
1190. Treated where?—In the treating-house.
1191. You mean to say positively that you had reason to hope that you were to have 20*l*, but that nobody told you so; did anybody tell you so, or not?—I was told that I would get it.
1192. Whom by?—By James Ward.
1193. Did anybody else tell you anything about the sum?—John Burns.
1194. Do you say that Burns and Ward told you that if you voted for Mr. Towneley you should be compensated with 20*l*?—No man told me that but Mr. White.
1195. Did Mr. White tell you that?—He did not mention 20*l*; but he said I should be compensated by Mr. Towneley.
1196. Did any person mention 20*l*?—Yes; James Ward, as I have mentioned, told me that my name was third on the list for 20*l*. or 23*l*.

Re-examined by Mr. James.

1197. You have been asked by the learned Counsel, whether when you are going to the poll you told anybody you were going to vote in fear; you said you wanted to speak with Mr. Somers, and they would not let you; is that so?—Yes.
1198. As you were going to the poll you met Mr. Somers, and you wished to speak to him, but they would not let you; what did you want to tell Mr. Somers as you met him when you were going to the poll?—I wanted, if I could, to get to him, that Mr. Somers might get the police to take me.
1199. And they would not let you stop to speak to Mr. Somers?—He would not be allowed to speak to me.
1200. Had you any opportunity of speaking with any policeman or any person as you went along?—I had no opportunity of speaking to Mr. Somers or to any person, for I would not be allowed to speak to any person.
1201. Have you received any money of any kind to give evidence here?—No, I have not.
1202. Have you received any money of any kind?—Not a shilling.
1203. Have you been stopping at Waltham Green?—Yes.
1204. Were you afraid of stopping at home, if it was known you were going to give evidence against Mr. Towneley?—I hey always thought I would not come here to give evidence against Mr. Towneley, and they hoped I would not come here.

Michael Rossiers.

1205. Did any person say anything about sending you to America?—No.

1206. Nobody at all?—No.

1207. Was it the name of Verdon you mentioned in answer to the Honourable Member in the chair?—No, Burns.

1208. Do you know where Priest White is?—No, I do not.

1209. Has he left Sligo?—I have heard that he has left Sligo.

[The Witness withdrew.

Mr. Robert Peyton Graham sworn; Examined by Mr. James.

Mr. R. P. Graham.

1210. DO you know Priest White, whom the witness has stated several times was at the house during the night?—I know his appearance.

1211. Have you endeavoured, for some time, to serve him with the Speaker's warrant?—Indeed I have endeavoured to serve him for the last four or five weeks.

1212. Have you been enabled to succeed in procuring his attendance?—No; I travelled 60 miles in two days, when I heard he was in the West of Ireland.

1213. Where was he curate?—At Sligo, I believe.

1214. Have you been able to find him at all?—No.

1215. Or to hear anything at all of him?—No.

1216. Have you reason to believe where he is?—I believe he has absconded from the service of the warrant.

1217. Have you reason to believe, upon your oath, from the inquiries you have made, that he has absconded to avoid the service of the warrant?—I have good reason to believe it.

Cross-examined by Mr. Slade.

1218. Let us see what your reasons are worth; has anybody connected with Mr. White told you that he has absconded?—Several of his parishioners have told me.

1219. Give me the name of any one who is not of your party?—I do not know what you mean by my "own party;" several of his parishioners have told me, and I have received anonymous letters.

1220. Any one not of your own party?—Mr. Barnard Owen Cowburn.

1221. Is he a Sligo man?—Yes; he is the late high sheriff of the county; he is the landlord of the brother-in-law of Priest White; he told me that he had been absconding for two or three days previously to this, in his neighbourhood, with a brother-in-law.

1222. *Committee.*] You mean to say that he had been in his neighbourhood, somewhere out of Sligo?—Avoiding service.

1223. *Mr. Slade.*] Did he use the word "abscond"?—He did.

1224. I believe you served Dr. Brown?—No; I did all I could to serve Dr. Brown, but the man was beaten and struck by Priest Phillippis.

1225. Has not Dr. Brown been served?—No.

1226. Were you present when the striking took place?—I was not; I can have the man who was beaten here.

1227. Confine yourself to what you know yourself; did you serve Dr. Phillippis?—Yes.

1228. At what time?—Dr. Phillippis has been a longtime served; I served him, I think, in December last.

1229. Was not Mr. White in your town then?—He was.

1230. Was not Mr. White in your town for months after you served Dr. Phillippis?—For a few months.

1231. You said that Dr. White was in town for some months afterwards?—No, I did not; I said Mr. White.

1232. Did you make any attempt to serve him during those months?—No.

1233. Did you know, at that time, that his evidence would be important?—No; I did not know that his was the hand from which the money went.

1234. Do you know that now?—I believe it was; that is the information I have received.

1235. Did

1235. Did you know nothing about Mr. White having any hand in this question about the priests?—Generally, I did; just as much as Mr. Quinn or Mr. Nangle.

1236. Did you know as much of him as you knew of Mr. Philipps?—Not at the time I served Mr. Philipps.

1237. What did you know more of Mr. Philipps than you did of Mr. White?—I thought, at that time, that Mr. Philipps' was the hand that the money passed through.

1238. That is the reason you served him?—Yes.

1239. You had no intention then of getting up a case of intimidation by the priests?—The petition was presented at the time; I would serve him now, if I could, and I would have served him for the last five weeks, if I could. Previously to that, I had not sufficient information to induce me to think it of value to bring him over.

1240. How many priests, besides Mr. White, remained unserved five weeks ago?—All, except Mr. Philipps, five or six weeks ago.

1241. Then Mr. Philipps was the only one who was served in December?—He was, I think, in December.

1242. *Committee.*] How many priests are there in Sligo, regularly?—There is Priest Philipps, Mr. Quinn, Mr. White, Mr. Nangle and Mr. O'Gara.

1243. How many altogether?—I think four or five.

1244. You mentioned five, I think?—Yes, and Mr. Haley.

1245. Is Mr. White one of the regular priests of Sligo; he has not quitted that cure?—No.

1246. He is still a regular priest of Sligo?—I believe he is.

Re-examined by Mr. James.

1247. You say Priest Philipps was the first priest you served?—Yes.

1248. You had then presented your petition charging intimidation?—Previously to that, some weeks.

1249. Until you made subsequent inquiries in the matter, did you know that Priest White was one of the priests who were attending this treating-place, where the voters were?—I knew Mr. White was in it, and that Mr. Quinn was in it, and that Mr. Nangle was in it, and that they were all in it.

1250. Is it since that came to your knowledge that you have been endeavouring to serve Priest White?—Long since.

1251. How far have you travelled to try to serve him?—From Sligo to Bellmullet; about 50 miles.

1252. Have you made inquiry in every district where you thought you were likely to find him?—Yes. I had Mr. Philipps' house searched.

1253. You inquired, I think you say, of the high sheriff, who is the landlord of the brother-in-law?—Yes.

1254. Did you make inquiry there, because you thought you were likely to find him?—Yes.

1255. Do you know any cure, or any employment, he has out of Sligo, that could take him away?—I do not; it is quite current in Sligo that he has absconded.

1256. *Committee.*] Is Mr. Philipps here?—He is here.

[Adjourned till Twelve o'clock To-morrow.]

Mr. R. P. Gordon

30 May 1853.

Martis, 31^e die Maii, 1853.

MEMBERS PRESENT.

Mr. Divett.
Mr. Hindley.
Sir Edmund Filmer.

Hon. W. H. Berkeley Portman.
Mr. W. J. Evelyn.

EDWARD DIVETT, Esq. IN THE CHAIR.

Patrick O'Dowd, sworn; Examined by Mr. Temple.

- P. O'Dowd.*
31 May 1853. 1257. DO you remember the day before the polling day at Sligo, at the last election?—I do.
1258. Did one of the priests of the town, with a mob, come to your house?—Yes.
1259. When they came, what did they do to you?—There was a man of the name of Flynn, a butcher; he told me that Mr. Phillips sent for me.
1260. Is that the priest?—Yes.
1261. What did you do on that?—I went down to the place where he brought me; to Chapel-lane.
1262. Is that what they call Mass-lane?—Yes.
1263. Where did they take you to in Mass-lane?—He brought me there; I inquired to see the gentleman, and they told me he would be in immediately; I went upstairs and sat there for a long time, waiting to see him, and he was not coming in, and I sat another half an hour.
1264. Was this on the Tuesday?—The day before the election.
1265. That was Tuesday?—Yes.
1266. How many people did you see there?—I saw the house full of them.
1267. Did you know most of them to be voters?—They were all voters, to the best of my opinion.
1268. Did you know the names of any of them?—I did; I saw Mr. Tighe there, and a brother-in-law of his; I knew a great number.
1269. Tell us as many as you can recollect; what was the brother-in-law's name?—Mr. Hargadan.
1270. How long did you stay there. I understand that they told you that Mr. Phillips wanted to speak to you?—Yes; I was waiting to see him.
1271. How long did you stop?—About three hours; till I was tired.
1272. Then were you coming away?—I was coming away.
1273. Did they let you come away?—They would not; there were two strong men at the door, who would not let me out, and said I should be there till the next day.
1274. Did you make any effort to get out?—I did; they would not let me out; they said they were ordered not to let any one out till the next day, and that I would get my dinner. I told them I had a dinner to get at home.
1275. Was anything said to you about whom you were to poll for next day?—No, they said nothing about who I was to vote for. I was a long time there; I told them they should open the door.
1276. Did they say that they would let you go if you would find bail, or anything of that sort?—I said, "If you don't let me go out, I will report this business to-morrow in the court-house;" and then on condition I was let go, that I would come back again, and get bail to come back. One of the clergymen went along with me to my house to come back again.
1277. Was it you that offered the bail, or did they mention the bail to you?—They mentioned it themselves, that I was to come back again with the priest, and a man of the name of Brennan was to be security. He said, "I will engage that this man shall come back again."
1278. Was it before you went away with the clergyman, or after you went away

away with the clergyman, that this was said about Brennan being bail for you?—Before I left the room; I would not be let out.

1279. *Committee.*] Are we distinctly to understand that you used the expression "bail" yourself?—They spoke to me, and Brennan said I will be security for this man.

1280. Did they use the term "security" or the term "bail"?—It was "bail."

1281. *Mr. Temple.*] You say a clergyman went in?—Yes.

1282. Where did you and the clergyman go?—To my own house.

1283. What was the clergyman's name?—Mr. Quinn.

1284. Did he leave you at your own house?—He did.

1285. Did you go back again or break your bail?—I said I would not go out.

1286. Did you go to bed at your own house?—I did not go to bed at the regular time; there were two men walking up and down watching my house.

1287. About what time did you go to bed?—About 11 o'clock.

1288. When you went to bed was your house locked up as usual?—The doors were locked.

1289. After you had been in bed did you hear any noises outside?—Great noise.

1290. And then what happened?—The noise annoyed me greatly; I was in bed; I opened the window, and asked what they wanted: "Mr. Philipps wants you, and you must come down to the room to me."

1291. What happened?—I spoke to him. I told him I would not go out till next day at eight o'clock.

1292. You say you spoke to him; where did you speak to him from?—Out of the window.

1293. How many people were below at your door?—There were so many, I did not count them.

1294. Were there a great many persons, or only one or two?—A great number; the street was crowded with people.

1295. When you said you would not go out till next morning, what was the next thing that happened?—They told me to go down stairs and speak to them.

1296. Who told you that?—The priest, Mr. Philipps. He is here, and he cannot deny it. I will tell the truth, and nothing but the truth.

1297. When Mr. Philipps said that, what did you say in answer?—He said he wanted to speak to me. I went down to the shop; indeed I did not like to go down, because the shop was cold to my feet; I had no shoes on.

1298. What did he say to you then; he or anybody else?—I opened the door, he said "Put on your clothes, and be out."

1299. As you had first of all refused, for fear of getting cold, to come down stairs, what made you open the door when you did open it?—He told me that he wanted to speak to me. I was speaking out of the window; he told me to come down; I made an objection to go down. When the door was opened he came in, and more came in. I had nothing on but my shirt.

1300. Who was it told you to put on your clothes and come out?—Mr. Philipps, the clergyman.

1301. You said you had gone to bed?—How long had you been in bed when this happened?—I was just falling asleep at the time.

1302. I think you said eleven o'clock?—I think it was thereabout.

1303. How many more were there besides Mr. Philipps, who came into the house with him?—Indeed I cannot say how many.

1304. Were there a good many, or only a few?—There were about three or four came in along with him.

1305. Who amongst them did you see besides Mr. Philipps?—He had another clergyman with him; but I do not know his name, because I was in such confusion that I could not know him.

1306. Will you look along this table, and see if you see any person that was there?—I do not think I do.

1307. Do you see anybody here that was there?—I think that gentleman there (*pointing to Mr. Gathin*).

1308. When they came in what did they do to you, and what happened next?—I had to go upstairs and put on my clothes; my daughter stopped in the shop; I got a candle lit.

1309. Did you do all this willingly or unwillingly?—Do you think I would do it willingly, to get out of my bed to go out such a cold night as that.

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1310. *Committee.*] Answer the question put to you, as shortly as you can?—I did not do it willingly.
1311. *Mr. Temple.*] What made you do it?—I was afraid to refuse the man; I was afraid of being killed if I did not obey orders.
1312. Did you agree to go at first?—I objected at first.
1313. When you objected, did you hear Mr. Phillips say anything to the crowd?—He spoke out, and said, "Will you come out; will you come out, sir?" They made a charge to the door. I was afraid they would take me away with no stitch on me.
1314. You were in your shirt?—I was.
1315. Did your wife and daughter interfere at all?—Indeed, when the police officer came she said, "For God's sake, father, go with them." That is before the police came.
1316. *Committee.*] Did your wife and daughter interfere at all?—My daughter said, "Father, dear, go with them, for we will be murdered."
1317. *Mr. Temple.*] Did the policemen come?—When I went upstairs to dress, that is the time the officer came; he was going to read the Riot Act; after I went up in the dark to put on my clothes.
1318. Did the policemen prevent you from being carried away?—Oh no; they did not see me when I was upstairs; but I heard talking in the shop.
1319. Did the mob take you away with them?—Oh no; they could not at this time, because the officer came, and called for a candle to read the Riot Act.
1320. Did the crowd go away and leave you?—I was upstairs; the crowd did not go away till the Riot Act was going to be read, and they would be shot; and then the clergyman took them away.
1321. Did the police go away?—They did.
1322. Did the mob come back again?—They did; a few came back along with the clergyman. Mr. Phillips came back with them.
1323. What did they do with you?—I was prepared, when they came back, to go with them.
1324. How came you to go with them when the police had read the Riot Act, and they had gone away and come back again?—You know I could not stop when I promised to go. My daughter told me to put on my clothes, and that it was the best way to go.
1325. You say they went away?—From the door, a few steps.
1326. Then did the police go away?—I think they moved down lower.
1327. Then, as soon as the police went away, did the mob come back to you?—Not so many as before.
1328. A few of them?—Yes.
1329. Were the others, the remainder, standing a few steps from your door?—They were.
1330. Then you went away with them?—Yes; they took me.
1331. Where did they take you to?—They took me down to where the rest of the people were.
1332. Is that what is called the treating-house, in Mass-lane?—Yes.
1333. Did you spend the rest of the night at this place?—Next door to it; it was a cold room. After I came out of my bed I was brought to the next door.
1334. Whom did the next door belong to?—It belonged to the same; a priest's house.
1335. Do you know his name?—Yes; Mr. White, I believe, the house belonged to.
1336. Who provided you with meat and drink?—I ate no meat, because I was not hungry; I did not eat anything there, but I took some drink.
1337. Did you go to poll the next morning?—Yes, after breakfast.
1338. Did they find you with breakfast?—Yes.
1339. I suppose you would go to the tally-room first?—Yes.
1340. Did you go alone?—No; indeed I did not. There were people to take care of me.
1341. How many walked with you?—Nine or ten.
1342. Was there anybody walked by your side?—Oh, there were.
1343. When you got to the tally-room, whose house was the tally-room at?—I believe Mr. Getbin's.
1344. Did you see Mr. Getbin in the tally-room?—I did.

1345. Was

1345. Was he taking any part in the arranging of the voters?—Indeed, I did not take any notice of that.

1346. After that were you taken up to poll?—I was.

1347. Whom did you poll for?—I polled for Mr. Towneley.

1348. Had you promised your vote before all this took place to anybody?—I promised Mr. Somers my vote first.

1349. What induced you to vote for Mr. Towneley if you had promised Mr. Somers beforehand?—Why, sir, there was such a report in the town that Mr. Somers had behaved very bad in the Parliament House; that he had deceived the people. I never heard a man abused like him in the chapel.

1350. By whom was he abused in the chapel?—By the clergyman. If he was a tinker, or any other sort of man in the world, he could not be more abused; but he is a gentleman, and a bred gentleman.

1351. Now, you have not told us what made you vote for Mr. Towneley, when you had promised Mr. Somers?—I would not have voted for him, but I was in dread of being killed.

Cross-examined by Mr. Slade.

1352. O'Dowd?—Sir.

1353. Nobody was killed who voted for Mr. Somers, was there?—No.

1354. Nor hurt, as you know of?—No.

1355. You say there was a report in the town that Mr. Somers had behaved very bad in the Parliament House?—There was.

1356. Did not that make a great effect on the people?—Very great.

1357. Had not that some effect on your mind, being a holy Roman?—On whose mind?

1358. Yours.—It disturbed the country greatly.

1359. It disturbed you greatly?—Indeed it did.

1360. Do not you suppose that had something to do also with your voting for Mr. Towneley, the fact of Mr. Somers having behaved so bad in the Parliament House?—I do not understand you.

1361. Do not you suppose that Mr. Somers' conduct in the Parliament House, which was stated to be so bad, that it had partly to do with your voting for Mr. Towneley?—It was so reported.

1362. Had not that something to do with your voting for Mr. Towneley?—No.

1363. Why not?—Because it had not.

1364. Did you not care one farthing whether he behaved well or bad?—I would like that every man should do well; and every man ought to do well who has got a soul to save.

1365. You told us about the people coming down to your house, and that two or three came in with the priest?—Yes.

1366. Are you sure that Mr. Gethin was inside your house; look at him?—He was.

1367. Are you certain of it?—Yes; he is there himself.

1368. Are you sure he was inside your house?—He was.

1369. At that time?—Yes.

1370. Are you sure of that?—I am.

1371. Just now you said, "I think he was there;" do you think, or are you certain?—I said it.

1372. Which is it?—He was in the house.

1373. Are you certain of it?—I am.

1374. What did Mr. Gethin say?—I did not hear him say anything.

1375. You say that Mr. Philipps told you to put on your clothes?—He did.

1376. Had he told you that before the charge was made at the door?—Yes.

1377. Did any one come into the house besides Mr. Philipps and those two or three men?—There were.

1378. Who was it?—I had not a light, but I went upstairs.

1379. How many came in?—Three or four.

1380. Three or four more?—About three or four were along with him.

1381. Were there any more than the three or four?—I do not think there were.

1382. The police came?—After I went upstairs the police came.

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1383. Did you see the police?—They went away before I came down; I was looking for my clothes in the dark.

1384. How do you know the police were there?—How do I know it?

1385. Yes.—Did I not hear the noise? and when I looked out of window, did I not see them charge their bayonets?

1386. You saw them do that?—Yes; I heard them call for a candle to read the Riot Act.

1387. Did Mr. Philipps, the priest, hand them a candle?—I do not know whether he gave them a candle or not; but he told them to take it.

1388. You heard that?—Yes.

1389. You heard the police call for a candle?—The officer.

1390. Call for a candle to read the Riot Act?—Yes.

1391. And you heard Mr. Philipps say they might take it?—Yes.

1392. After that, did the mob go away?—They went away a short distance.

1393. Did you attempt to speak to the police out of the window if you heard all this, or to tell them in what condition you were?—I had nothing to do with them; they have to keep the peace and keep people away from a man's house; I had no dealings with the police at all.

1394. Did you tell the police that they were come to take you away?—I did not speak a word at all; I had gone upstairs.

1395. You did not tell the police anything?—How could I tell them when I was upstairs?

1396. How far had the police moved off?—They were down at the bottom of the hill, a good piece, I believe.

1397. Did you go down the hill to go to the house in Mass-lane, or up the hill?—I went down the hill.

1398. To where the police were?—Yes.

1399. When the priest and one or two more came back, you said you were prepared to go with them?—No policeman came back with the clergyman.

1400. You told us you were prepared to go with the priest?—Yes.

1401. How came you to have prepared yourself after the police had been there and sent the mob away; why did you not go to bed quietly?—When I came down the police were gone while I was putting on my clothes. When I came down there were some people left within, keeping the door open, being afraid that I would shut it and not let them in a second time; so I went along with them quiet and easy when I could not do anything less.

1402. Do you mean to say there were people left inside your house after the police went away?—There were.

1403. Who was it?—I think there were one or two inside the door.

1404. Did you see them?—As soon as I came down.

1405. Did you see anybody left behind after the policemen went away?—My daughter told me there was on each side of the door.

1406. You did not see them?—No, I was upstairs; I was confused.

1407. How came you not to vote for Mr. Somers when you came to the poll?—I voted for Mr. Somers for 15 years; I was in dread of my life if I voted for him; I did not wish to have my life lost by voting, and that was what made me do it.

1408. Did you not sign a requisition to Mr. Towneley to come and stand?—No.

1409. Will you swear that?—I will.

1410. Did you direct any one to put your name to it?—No.

1411. Nothing of the sort?—No.

1412. Did you consent to his coming?—Sure, I had no objection against the man, if he would come every day in the week.

1413. Do you know Mr. Williams, of Sligo?—I do, indeed; he lives next door to me.

1414. Alderman Williams?—Yes.

1415. Did you ask him for 15*l.* for having promised to vote for Mr. Towneley?—I never asked a halfpenny from the man; and I am sure if I had, never a halfpenny would he give me.

1416. Will you swear that you never asked him for 15*l.*, or some sum of money, for having voted for Mr. Towneley?—I take my oath I never did.

1417. Did you ask him for any money after having promised a vote for Mr. Towneley?—I asked one day if he had any power to give any money to a person distressed, and he said, no.

1418. When—

1418. When was it you asked him?—I asked him after the election.
 1419. How long after the election?—About two months, or three.
 1420. Did you tell Mr. Williams not to mention it to any one?—No; that is all the conversation we had.
 1421. You did not tell him?—No.
 1422. Did you have anything for voting for Mr. Somers in 1848?—No.
 1423. Not an I O U?—I got nothing.
 1424. Did you get an I O U from Mr. Delaney?

Mr. Temple objected to the question.

Mr. Slade was heard in answer to the objection.

The Committee allowed the objection.

1425. Mr. Slade:] What made you ask Mr. Williams if he could assist a man in distress?—I thought he might give me a few shillings. Many a poor man in distress borrows a few shillings from his neighbour.

1426. Did you intend to repay it?—I would.

1427. That is no reason why you should go to Mr. Williams; was he a friend of Mr. Towneley's?—He lived next door to me.

1428. Was Alderman Williams a friend of Mr. Towneley's?—No more than he is to you. I have seen him going in two or three times.

1429. Did he vote for Mr. Towneley?—He did.

1430. Did he propose Mr. Towneley?—I do not know.

1431. What made you go to him, of all the other people in Sligo?—It may be I did not go to him more than to others.

1432. Did you ask anybody else to assist a poor man in distress after the election?—I did.

1433. Who did you ask?—I am not to tell you all those things.

1434. You must tell us?—What am I to tell?

1435. Who did you ask besides Mr. Williams to help you in your distress?—A brother-in-law of my own, who would not give me a halfpenny.

1436. Did you not ask Mr. Gethin?—I did.

1437. Why did you not tell us that, and why did you put your brother-in-law off upon us?—I cannot think of everything.

1438. You knew pretty well what I was at, sir?—No, I did not.

1439. Did you ask Mr. Walker for money?—I did.

1440. Is that the gentleman here?—Yes.

1441. How long after the election did you ask Mr. Walker for money?—About three months.

1442. How long afterwards did you ask Mr. Gethin?—Much about the same time. I thought there was some money laid out for us by Mr. Towneley; they told us so; and I was thinking they would give us something, and we got nothing.

1443. That was laid out for Mr. Towneley's voters?—Yes.

1444. Did you not ask Mr. Gethin to give you money, and state, "because you had voted for Mr. Towneley"?—I did.

1445. Because you had voted for Mr. Towneley?—Yes.

1446. You see your memory is getting a little better: did you not ask Mr. Williams for money?—I did.

1447. How much did you ask Mr. Williams for?—I asked him if he had any order to give us any money. One man had said, "Go to Mr. Walker; go to Mr. Gethin;" and no one would pay the money.

1448. You told me you had not asked Mr. Williams for money; that was a mistake?—There was a mistake.

1449. You had asked him for money?—I did.

1450. Did you ask him for 15*l.*?—No.

1451. Did you mention any sum?—No.

Examined by the Committee.

1452. You have told us, that having promised Mr. Somers, you went and voted for Mr. Towneley, because you feared if you did not vote for Mr. Towneley some harm would come to you?—Yes.

1453. Do you mean to tell us that that is the only reason for which you voted for Mr. Towneley?—Exactly.

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1454. You positively state that?—I swear it on the book.

1455. Is that the only reason?—Yes.

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1456. Having voted for Mr. Towneley, how came it to pass that you went to ask for money for having voted for Mr. Towneley?—(No answer).

1457. Do you mean to say that it was only fear which made you vote for Mr. Towneley, and that you had no hope of some reward for doing it?—Sure I had a right to get some as well as another.

1458. You told me just now that your sole motive for voting for Mr. Towneley was, that you were afraid of some mischief that would come to you if you did not?—Yes.

1459. Now you tell me that you thought you should get something for it?—I beg your pardon.

1460. You have said, "Sure I had a right to get some as well as another:" what was it you thought you had a right to get?—I will tell you how it was; they were saying that people ought to get 10*l*. for their votes.

1461. That they told you?—Yes.

1462. Do you mean to say that you voted for Mr. Towneley because somebody told you that you ought to get 10*l*. for your vote?—This was after that.

1463. I am speaking of before; I want to know whether it was fear which made you vote for Mr. Towneley only, or whether you thought you ought to get something for doing so?—Fear.

1464. You state that positively?—I do.

1465. You do?—I do.

1466. You mean to say that it was solely fear, and that you were not induced, to vote for Mr. Towneley by any conversation that you had with anybody whatever, about getting money for your vote; do you mean to swear that?—I do.

1467. Was there a report in Sligo that Mr. Towneley's voters would receive money?—Yes.

1468. When was that report made; was it before the election, or was it after you had voted for Mr. Towneley?—I heard it after the election.

1469. Having voted for Mr. Towneley, did you think you had as much right to the money as others?—Yes.

1470. Was that your motive?—Yes.

1471. And nothing to do with your vote?—No.

Re-examined by Mr. Temple.

1472. You say that the police went down the hill a good piece, and that you went down the hill to Mass-lane; was the hill that you went down to Mass-lane, the same hill as the hill which the police had gone down?—It is the same direction.

1473. Did you pass the police?—No; I could not see one of them.

1474. When they were taking you there, you did not pass the police between going away from your house and getting to the house in Mass-lane?—No.

[The Witness withdrew.]

James Crowley, sworn; Examined by Mr. Temple.

James Crowley.

1475. DID you vote at the last election for Sligo?—Yes.

1476. Whom did you vote for?—Mr. Towneley.

1477. Had you previously promised your vote to Mr. Somers?—Yes; I promised it to Mr. Somers.

1478. The nomination-day, we are told, was a Monday?—Yes.

1479. Do you live a little way out of the town?—I do; a small bit out of the town.

1480. Do you remember coming into the town through Wine-street on the morning of Monday?—Yes, I do.

1481. Whom did you meet?—I met Mr. Ward.

1482. Is he called Tom Ward?—Yes.

1483. Was he known as being one of Mr. Towneley's supporters?—I think he is.

1484. What did Tom Ward say to you?—He told me that if I would vote for Mr. Towneley they would give me 17*l*.

1485. Where

1485. Where does he live?—In Knox-street.
1486. What answer did you make to him, when he applied to you for your vote for Mr. Towneley and offered you 17*l*?—I told him I did not know what I would do at that time.
1487. Did you say anything more?—He gave me some drink.
1488. Did you go with him anywhere?—No; he kept a public-house himself.
1489. Did you go with him to his public-house that morning?—Yes; he brought me.
1490. What did he say to you at the public-house?—He told me he would give me the money if I would vote for Mr. Towneley.
1491. Did you promise to vote for Mr. Towneley, or did you not?—I did not promise to vote for him.
1492. What did he do upon that?—He gave me some whiskey to drink, and soon set me drunk.
1493. Had you anything to eat?—I had.
1494. What had you to eat?—He sent out for a steak and gave it to me to eat.
1495. Did you go away from Ward's house by yourself?—No; they brought me.
1496. Who do you mean by they?—There were some more men in the house along with him.
1497. Can you name any of them?—Paddy Connor.
1498. Anybody else?—Nobody but them.
1499. You say they brought you out of the house; where did they take you to?—They brought me to another public-house above that.
1500. Had you any drink there?—Yes; I got more there.
1501. After you had more drink, what did they do with you; where did they take you to?—They kept me there until it was dark.
1502. They kept you in this second place?—Yes.
1503. Do you know where the second place was that you went to?—It was a public-house.
1504. What was the name of the street?—Knox-street.
1505. Who was the person who kept that second house a little higher up?—Mr. Hurst.
1506. Joshua Hurst?—Yes.
1507. You say they kept you there all the day?—Yes.
1508. Where did they take you to at night?—Four of them brought me over to a street called Mass-lane, and put me into a house there.
1509. In this house, were there many people besides yourself?—There were a good many.
1510. Did you know any of them?—I did.
1511. Can you mention any of their names?—I can; that old man who was here a while ago, was one of them; and Mr. Somers, the tailor, was another.
1512. Can you mention any other names?—There was a good deal more that I did not know.
1513. Did you see any priests there?—No, I did not; but there was a strange priest who was along with the four men who were bringing me there, but I did not know him.
1514. Did you remain there all night?—I did.
1515. This was the Monday night?—Yes.
1516. And you went to bed there?—No; I had no bed.
1517. Do you know Mr. Gettin?—I do.
1518. Did you see him there that night?—I did.
1519. What was he doing?—He was going through the men backwards and forwards in the rooms.
1520. The next morning, Tuesday, what took place?—I was there the whole time.
1521. The whole of Tuesday?—Yes.
1522. I suppose by the next morning you had got sober; did you get sober while you were there at all?—No, not very sober; I was getting a little drop all along.
1523. You went on the Wednesday morning to poll?—No; I came over to another house opposite the Court-house.
1524. Was that on the Tuesday that you went to another house?—Yes; Tuesday morning.
- 600.

James Cowley.

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1525. Who went with you to that other house?—There were some of the gentlemen with me; I cannot say now who they were.
1526. Where did they take you to?—It was opposite the Court-house, when I would be called on.
1527. On what day was it that you were taken there?—Tuesday morning.
1528. How long did you remain there?—I remained a good while until I was brought out to poll.
1529. Was it on the day the polling took place that you were taken to that house opposite the Court-house?—It was.
1530. You say you were kept up with drink all along; do you remember whether the polling took place the day after you were taken there, or the day but one afterwards?—The very day that I was brought there, I went to poll; about two hours after.
1531. Out of the tally-room?—Yes.
1532. Was it the day after you were taken to the house in Mass-lane, or the day but one after you were taken to the house in Mass-lane, that you were taken to the tally-room?—The day after.
1533. Do you remember whether it was Monday or Tuesday night that you were taken to the house in Mass-lane?—Monday night.
1534. According to your recollection it was the day after?—Yes.
1535. Were you sober when you were taken up to vote?—I was a little sober, but not very sober.
1536. Whom did you vote for?—I voted for Mr. Towneley, and if I was let alone I would vote for Mr. Somers; and I always vote for him, but the election before this I had no vote at that time; I voted for him for 15 years, except the election before this.
1537. What induced you to vote for Mr. Towneley instead of Mr. Somers?—Because I was afraid.
1538. Had you any other motive except fear?—I think that of itself is enough.
1539. Do you know whose house the tally-room was at?—The tally-room?
1540. Yes; I mean the room where you were taken to before you voted that morning?—I cannot say who it belonged to; I am not sure whether it was Mr. Gethin's, or not.

Cross-examined by Mr. Serjeant Kinglake.

1541. You were a little drunk when you went up to the poll; you were not quite sober, I suppose?—If you are going to come at me now—
1542. You were a little drunk at the time when you went up to poll?—I was.
1543. Are you quite certain it was Monday when you first of all went to this house?—Monday, sir?
1544. Yes.—It was Monday night I went to that house.
1545. Where was it you said you met the person who took you there; what is the name of the street?—Wine-street.
1546. Where you met the man called Tom Ward?—Yes.
1547. What time of the day?—After breakfast.
1548. Monday morning?—Yes.
1549. Can you fix the time?—Do not I tell you about breakfast time.
1550. I do not know what time you breakfast?—We breakfast at any time we could get it.
1551. What time of the day was it?—About nine o'clock.
1552. How long was it before you found yourself in this house in Mass-lane?—How long was I in it?
1553. No; you say you met him about nine o'clock?—Surely he brought me to his own house before I was brought there.
1554. What time in the day was it when you got to Mass-lane; how long after you had met Tom Ward was it?—How long after?
1555. You heard the question; you met Tom Ward at nine o'clock?—I did.
1556. What time did you get to this house in Mass-lane?—It was Monday.
1557. How many hours after you met Tom Ward was it you got to Mass-lane; you understand the question quite well; you met him at nine o'clock, and you say he took you, or you went with him to Mass-lane?—I did not tell you that.
1558. Did you not?—No.

1559. Did

1559. Did you not find yourself at Mass-lane on the Monday?—Yes; he brought me to his own house on Monday.
1560. Did he not go with you to Mass-lane?—No.
1561. Who did?—Four men more that were in this other public-house.
1562. What time of the day was it you got to Mass-lane?—It was about eight o'clock at night.
1563. There you stayed all that night?—Yes, I did.
1564. Are you sure of that?—I am.
1565. And you saw Mr. Getbin there?—Yes.
1566. Do you know Mr. Getbin?—I do.
1567. Is he here?—Yes, there he is (*pointing to Mr. Getbin*).
1568. Look at that gentleman (Mr. Getbin)?—I see him.
1569. Did you see that gentleman there, on your solemn oath?—I did.
1570. More than once?—Only once.
1571. On the Monday?—Yes.
1572. Now attend, Cawley?—Yes, sir.
1573. You saw that gentleman there (*pointing to Mr. Getbin*)?—I did.
1574. Attend to the question before you answer. It was on the Monday?—I cannot say whether it was Monday.
1575. You have just said so. You saw him there but once?—That is all; but I cannot say whether it was Monday night or Tuesday night.
1576. I thought you went to the poll the next morning?—Wednesday morning.
1577. I thought you said you went to the poll the day after you got there; how long did you stay at the house in Mass-lane; you went there on Monday?—I did.
1578. Did you go to poll the next morning?—I did.
1579. That is, Tuesday?—Yes.
1580. Just attend. You went to Mass-lane at eight o'clock on Monday evening?—I did.
1581. You stayed there the night?—Yes.
1582. The next morning you went to vote?—I was two nights in it.
1583. Then it is not right that you went the next day?—No; that is wrong.
1584. How came you to make that mistake just now. Are you a little sober now; have you been drinking to-day?—I did not drink a drop to-day yet.
1585. Did you take any yesterday?—A very little indeed.
1586. You have not much recollection. When you were in the house in Mass-lane, whom did you see?—I was too tipsy; and I did not know a great many.
1587. On your oath, did you see that gentleman (*pointing to Mr. Getbin*)?—Yes.
1588. Was it on the Monday. You say you saw him there but once?—It was either Monday or Tuesday; and it was on Wednesday morning I came to poll.
1589. At that house?—Yes.
1590. Then it was not Monday?—No.
1591. And it was not Tuesday?—No.
1592. But it was on Wednesday?—It was.
1593. When was it you saw Mr. Getbin at the house in Mass-lane?—Either Monday or Tuesday night.
1594. Can you tell me which?—No.
1595. What time?—It was pretty late at night.
1596. How late?—About 12 or 1 o'clock, I think.
1597. You swear that?—Yes.
1598. Will you just tell me any other person who was present, when you say Mr. Getbin was there?—Yes.
1599. Mention the name?—Mr. Somers, the tailor, has seen him there as well as me.
1600. Any one else?—I do not know of anybody else.
1601. Have you been having a little talk with Mr. Somers; is that Michael Somers?—Yes.
1602. Have you been having a little talk with him outside?—No.
1603. Have you not spoken to him since yesterday?—I was talking to him.
1604. About Mr. Getbin being there?—No.
1605. Did he not mention Mr. Getbin to you; did he not tell you what he had been saying here?—I had some talk with him.
1606. Did he tell you that he had said that he had seen Mr. Getbin there?—Yes.
600. G 3 1607. And

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1607. And then you agreed with him about that?—I did not agree with him, because I knew he was there as well as himself.

1608. Did you tell him you should come and say the same thing?—I told him nothing about it.

1609. Are you lodging in the same house together?—In Mass-lane?

1610. Here in London?—No.

1611. Are you lodging at the same place with him?—No.

1612. Have you seen him to-day?—I did.

1613. Where?—I have seen him there abroad.

1614. Have you been talking to him?—Yes.

1615. What have you been telling Michael Somers?—He was telling me that he had seen him there.

1616. To-day?—Yes.

1617. What did you say to that?—I said nothing to it.

1618. If I understand, you always intended to vote for Mr. Somers, if it had not been for this?—Yes.

1619. Did you ever promise to vote for Mr. Towneley, or did you ever say you would?—Did I ever say I would?

1620. You heard the question?—Surely I might say what I liked, and not give it him after.

1621. On your oath, did you say that you would vote for him?—Sir?

1622. You heard the question. Upon your oath, did you not say,—you may change your mind, I know, as often as you like,—upon your solemn oath, did you not at one time say you would vote for Mr. Towneley?—I told him I did not know whether I would or not.

1623. That will not do?—It will do.

1624. Did you not promise that you would vote for Mr. Towneley?—No.

1625. To no one?—No.

1626. *Committee.*] Do you distinctly state that you never made a promise to any one that you would vote for Mr. Towneley before you went up to the poll?—To who?

1627. To any one?—I did not.

1628. Mr. Sergeant Kinglake.] You stated just now, you might promise Mr. Towneley and not be bound to keep it. Did you ever promise any one in any way to vote for Mr. Towneley?—Yes; I met him one day, and I told him I did not know whether I would give it.

1629. Met whom?—Met the mob and Mr. Towneley.

1630. With Mr. Towneley?—Yes.

1631. Did Mr. Towneley ask you to vote for him?—He asked me if I would give him my vote; and I told him I did not know what I would do.

1632. Do not puzzle yourself about meeting Mr. Towneley and the mob. Did you not, some time before the election, promise to vote for Mr. Towneley?—Did not I tell you before I did not?

1633. Do you mean to swear that?—I do.

1634. That will go down on the notes?—I do not care.

1635. You mean to swear to that?—I do.

1636. Did you ever order any one to put your name to a paper, saying that you would vote for Mr. Towneley?—I will not tell you; I think you are going too far with the story.

1637. Can you write?—No.

1638. Did you ever give any one what we call word-of-mouth instructions to put your name to a paper?—Paper and ink was plenty, and they might do what they liked with it.

1639. Did you ever give any one orders or tell any one to put your name to a paper, saying that you would vote for Mr. Towneley?—No, I did not.

1640. You mean to persevere in that?—Yes.

1641. Did you ever direct any one to put your name to a paper, asking Mr. Towneley to come forward?—Asking Mr. Towneley to come forward?

1642. Yes; as what you call a candidate; did you ever ask any one, or tell any one (now attend to the question) to put your name to a paper, asking Mr. Towneley to come and be a candidate at Sligo?—No, I did not.

1643. I shall put that to you again, Mr. Cawley, and take care how you answer; did you ever tell any one they might put your name to a paper, asking Mr. Towneley to come and offer himself as a candidate for Sligo?—No, I did not.

1644. Or

1644. Or anything like that?—No, sir.
 1645. What?—I did not.
 1646. It was fear of punishment that induced you to go up to poll?—Yes.
 1647. Did you feel very nervous at the time?—I did.
 1648. Full of fear?—Yes.
 1649. Did you tremble as you went?—I did.
 1650. Do you mean to swear that?—Yes.
 1651. Did you tremble in your limbs for fear?—I did.
 1652. Do you mean you could not walk straight as you went?—I could walk middling; but I was still afraid.
 1653. And felt it in your limbs?—Yes.
 1654. Did you, Master Cawley, expect you would be killed?—Yes.
 1655. It was fear of your life?—Yes.
 1656. That you would be destroyed?—For fear I would be beat.
 1657. And lose your life?—Yes.
 1658. And that induced you to vote?—Yes.
 1659. Do you mean to swear that?—Yes.
 1660. You swear positively you saw that gentleman in the house? (*Pointing to Mr. Gethin*).—Yes.
 1661. Do you know a person named Captain Barrett?—I do.
 1662. Who is he?—Who is he?
 1663. Yes?—He is a man.
 1664. I suppose he is not a woman?—No.
 1665. Will you tell me who Captain Barrett is a little more specifically?—I will.
 1666. What is he, and where does he live?—He is a harbour-master, and lives in Sligo.
 1667. Have you ever seen him about this election?—No.
 1668. Has he ever promised to give you some work?—No.
 1669. What?—No.
 1670. Has he ever given you any?—Any work?
 1671. Yes; lately?—No; not a turn.
 1672. Have you asked him for it?—I did ask him, and he gave me no work.
 1673. Did he tell you he would not give you work, because you voted for Mr. Towneley?—No; he never mentioned that at all.
 1674. When was it you applied to him?—A good while ago.
 1675. Since the election?—Yes.

Re-examined by Mr. Temple.

1676. You said that you met Mr. Towneley with a mob, and he asked you if you would give him your vote, and you said you did not know whether you would or not?—Yes.
 1677. What kind of a mob was this?—There was a great deal of men along with him.
 1678. Were they all voters who were with him?—No, they were not.
 1679. Were they the rabble of the people who were not voters?—They were.
 1680. Was Priest Philipps with them?—He was.
 1681. Do you know Mr. Stonor?—I do.
 1682. Was he with them?—He was.

Examined by the Committee.

1683. You said, I think, in your examination, that you were not lodging in London at all?—I am lodging in London.
 1684. Not in the same place with Somers, the tailor?—No, I am not.
 1685. You have told us that you went to the poll in fear?—Yes, I did.
 1686. Do you mean positively to swear that that was the motive that induced you to vote for Mr. Towneley?—Yes, I do.
 1687. You say that Tom Ward offered you 17*l*.; you mean to say that offer did not influence your vote?—Sir?
 1688. Do you mean to tell us that offer of Tom Ward, who came and told you that if you would vote for Mr. Towneley you should have 17*l*., did not influence your vote on that occasion; do you mean to say that?—I do. I say he promised the money.

James Conley.

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1689. That did not induce you to vote?—No.
 1690. It was the fear only that induced you to vote?—Yes.
 1691. It was no offer of Tom Ward's that influenced your vote?—No.
 1692. Do you mean positively to swear that?—I do.
 1693. Was any money given you?—No.
 1694. Did you ask for it?—No, I did not.
 1695. Not at all?—No.
 1696. You have not reminded Tom Ward of his promise since?—Sir?
 1697. You have not reminded Tom Ward of his promise since?—No; he gave me no promise since.
 1698. That is not the question?—Is it not, sir?
 1699. You have told us that Tom Ward promised you 17*l.* if you voted for Mr. Towneley?—Yes.
 1700. Has he never given you any of the money?—No.
 1701. You have never had a farthing?—No.
 1702. Have you ever reminded him since of that promise?—Did I speak to him?
 1703. Have you ever reminded him since of that promise?—No, I did not.
 1704. Never?—No.
 1705. You positively swear that?—I will.
 1706. Have you asked for any of that 17*l.*?—No.
 1707. You have neither asked him nor anyone else?—No.
 1708. Do you mean to swear that?—I do.
 1709. On no occasion?—On no occasion.
 1710. Why was it more likely you would lose your life in voting for Mr. Towneley than for Mr. Somers?—Because I did not know the man. Why should I give him a vote when I did not know who he was?
 1711. Why was it likely you should be killed for voting for a stranger, and not be killed for voting for a man who was known in the borough?—Because I would sooner give it to a man who was known in the borough, than give it to a stranger.
 1712. Why did you think you were likely to be killed for voting for Mr. Somers, and not be killed for voting for Mr. Towneley?—Because I knew I would not.
 1713. Why had you that fear?—I will tell you the reason; because I would sooner vote for him than any man.
 1714. That is not an answer to the question?—I cannot give you an answer.
 1715. You are asked why it was you were under a fear as to voting for Mr. Somers, which you were not under as to voting for Mr. Towneley. What was the influence which made you fear to vote for Mr. Somers?—What was the reason?
 1716. What was it you were afraid of if you voted for Mr. Somers?—What was I afraid of?
 1717. Yes?—Do not I tell you I was not afraid at all.
 1718. You told us you were afraid?—For Mr. Towneley, I said.
 1719. You told us?—No; I did not tell you any such thing.
 1720. The question is this; how is it you were under fear if you voted for a particular individual; but that you were not under fear if you voted for another individual. What was the fear as to voting, which operated on your mind with respect to that individual?—Because I was not afraid to vote for him, and I was afraid to vote for the other man.
 1721. Tell us why?—Why?
 1722. What were you afraid of?—Is it for voting for Mr. Towneley?
 1723. You were afraid to vote for Mr. Somers?—Do not I tell you I would not be afraid to vote for Mr. Somers.
 1724. You were afraid of your life if you voted for Mr. Somers?—I did not tell you that I was afraid of my life.
 1725. If you had voted for Mr. Somers, do you think you would have been in any danger?—I do not understand that.
 1726. Did you not say that you trembled when you went to vote?—I thought it was Mr. Towneley you were asking me about.
 1727. I want to know whether you would have been afraid if you had voted for Mr. Somers?—That is what I meant to say; I mistook the word.
 1728. You were afraid to vote for the one; you trembled to vote for the one. If you had voted for the other, would you not have trembled then?—I will tell you how it was.

1729. Explain what you mean in your own words?—I was afraid if I voted for Mr. Somers that I would be beat; I told you that before.

James Cowley.

1730. Why were you more afraid to vote for the one candidate than you were to vote for the other?—Sure I told you that I was afraid to vote for Mr. Somers on account of the mob that was with him.

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1731. Then you mean to say that you were afraid of the mob if you had voted for Mr. Somers; and that if you had voted for Mr. Towneley, you were not afraid of the mob?—Yes.

1732. You were afraid the mob would do you harm if you voted for Mr. Somers; and they would not do you harm if you voted for Mr. Towneley?—Yes, that is it.

[The Witness withdrew.]

Matthew Feeney, sworn; Examined by Mr. James.

1733. WHAT are you, Mr. Feeney?—Deputy Collector of County Cess.

Matthew Feeney.

1734. How long have you lived in Sligo?—Twenty-one years.

1735. Have you had a vote for some time for the borough?—Yes.

1736. How many years?—The last ten years.

1737. Have you generally voted for Mr. Somers?—Always.

1738. Did you vote on this occasion for Mr. Somers?—No.

1739. You promised him your vote, I think?—I did.

1740. Why did you not vote for him?—Through fear.

1741. You did not vote at all, I believe?—No.

1742. Do you know Priest Phillipps?—I do.

1743. Do you know Priest Quinn?—I do.

1744. Priest Nangle?—Yes.

1745. Priest Whise?—Yes.

1746. Priest O'Gara?—Yes.

1747. Were you present at the chapel before the election?—I was.

1748. Did you hear any denunciations from the altar?—Yes.

1749. At which chapel was it you first heard them?—The chapel of St. John.

1750. Is that in the town of Sligo?—Yes.

1751. What priest was doing duty there?—Mr. Phillipps.

1752. What did you hear Priest Phillipps say about Mr. Somers and his supporters?—He spoke very harshly against the conduct of Mr. Somers.

1753. What did he say?—He said that he voted in the House of Parliament for the Bill to bastardize the Roman-catholic children.

1754. What more did he say?—That he sold his country and his religion.

1755. Did he say anything of his supporters?—No.

1756. Did he say anything about people voting for him?—No, he did not.

1757. Did he state this from the pulpit, or from the altar?—From the altar.

1758. Do you remember, on the polling-day, a person coming to you to ask you to go to Priest Phillipps?—I do; a man named James Colleary.

1759. He brought you a message to go down to Priest Phillipps?—To go down to Priest Quinn's lodging; that Mr. Phillipps wanted me.

1760. Priest Phillipps?—Yes.

1761. About what time on the polling-day was this?—Between 12 and 1 o'clock.

1762. You had not voted, you say, at all?—No.

1763. Up to the time of that message coming, had you intended to vote for Mr. Somers?—I did.

1764. You promised him?—I did.

1765. And you voted for him, I think you say, eight or ten years?—I voted for him on all previous occasions.

1766. Did you go down to Priest Quinn's lodging?—I did.

1767. Whom did you find there?—I found several there.

1768. Tell us who you found at Priest Quinn's lodging, on the polling-day?—To the best of my knowledge, Mr. Nangle, and two or three inhabitants of the town, I met first in the room.

1769. Priest Nangle?—Yes.

1770. Did you afterwards see Priest Phillipps there?—Yes, he came into the room.

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1771. When

Matthew Fenech.

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1771. When Priest Philipps came into the room, what did you say to him, or he to you?—He asked me to go out and pass my vote for Mr. Towneley.

1772. What did you say?—I refused, and remonstrated with him; I did not like to go.

1773. You are a Roman-catholic?—Yes.

1774. What did Mr. Philipps say to you?—He left the room, and he said, "I will send a man that will soon settle you."

1775. Did Mr. O'Gara appear; the priest who sits at the bottom of this table?—Mr. O'Gara was the next who came.

1776. The gentleman who is sitting at the bottom of this table?—Yes.

1777. He said, "I will send a man that will settle you," and then Mr. O'Gara came?—Yes.

1778. What did Mr. O'Gara, the priest, say to you?—He wanted me to go also.

1779. What did he say to you?—He was partly pressing me to go, and I refused to go. There was another gentleman in the room, whom I did not know, who said it was right to bring me out and compel me.

1780. Was that said in Mr. O'Gara's presence?—No.

1781. Was that said in Mr. Philipps' presence?—It was.

1782. What did you say to that?—I said I would not go.

1783. When Mr. O'Gara came in, what did he say to you?—He wanted me also to go and vote for Mr. Towneley.

1784. What did you say to him?—I remonstrated with him, to allow me to go home, and I would not vote on either side; and on those conditions I got leave to go home.

1785. In what way did Mr. O'Gara speak to you?—He did not speak with any harshness to me.

1786. You know the Roman-catholic priests, and you know the influence they have on the lower orders?—Yes.

1787. Were you intimidated, and afraid to vote for Mr. Somers?—I was intimidated, previous to the day of polling, by the mob.

1788. State how that happened?—There is a house, my property, next to where I live; it was three different times broken into, and the family in the house put in terror of their lives.

1789. During the election?—Before the election.

1790. How shortly before the election?—A few days before.

1791. Whose house was broken into by the mob?—A man named James Duggan; he is a tenant of mine.

1792. What mob was it?—Mr. Towneley's mob.

1793. Was his property taken away, or the house injured?—The windows were broken in, and a good deal of damage done inside the shop. The things in the shop were broken by the stones that were thrown in.

1794. That, you say, frightened you?—Yes.

1795. You call it Mr. Towneley's mob; was that mob about during the election?—It was. There was no other mob in it but Mr. Towneley's.

1796. That and the statement which the priests made to you; did you say that those two circumstances intimidated you from voting?—They did.

1797. You seem to be in a position of respectability, and you say you have been collector of the county cess for some years?—I have.

1798. Do you mean seriously to tell this Committee, upon your oath, that you were intimidated from voting at that election?—On my oath, I was.

Cross-examined by Mr. Serjeant Kinglake.

1799. If I understand you, when you went down to Mr. Quinn's lodgings, your full intention was to vote for Mr. Somers?—It was, and at all times.

1800. What time of the day was that?—About one o'clock.

1801. You had not been intimidated very much by the mob breaking into the house some few days before?—I was, and I had cause.

1802. Just attend. If I understand you, as you went down to Mr. Quinn's lodging, that was the day of the election?—Yes.

1803. You fully intended, as you went down the street at that time, to vote for Mr. Somers?—I did.

1804. If you had not gone to Mr. Quinn's lodging you would have voted for Mr. Somers?—I would vote at all risk for him. I was in terror.

1805. Let

Matthew Peasey.

31 May 1833.

1805. Let us see what is passing in your mind. You have told the Committee that you went to Mr. Quinn's lodgings, and that you had made up your mind, and had intended to vote for Mr. Somers?—At all times, my mind was made up.

1806. Did you intend to do so at that time?—Yes.

1807. If you had not gone to Mr. Quinn's lodgings, you would have voted for Mr. Somers; should you or not?—I would vote for Mr. Somers at any time.

1808. If you had not gone to Mr. Quinn's lodgings, should you or not have voted for Mr. Somers?—I would vote for him at all times.

1809. Attend to the question; you have told us that you went to Mr. Quinn's lodgings on the polling-day; is that so?—It is.

1810. As you went down towards the polling-booth, before you got there, at that time your intention was to vote for Mr. Somers?—Certainly.

1811. If you had not gone into Mr. Quinn's lodgings at all, should you have voted for Mr. Somers?—I would.

1812. You would?—I would.

1813. My friend has asked you about the intimidation of the mob, and going to the lodgings; what had the intimidation of the mob to do with you, if you had made up your mind to vote on the polling-day?—I was intimidated even in the house where I went to.

1814. Had the intimidation of the mob anything to do with it or not?—Both together.

1815. I think you said you had made up your mind on the polling-day, notwithstanding what the mob had done; and if you had been left alone, you would have voted for Mr. Somers; is that so?—I would have voted for him but for fear.

1816. You have said the mob broke into the house of Mr. Dagnan some days before the election?—Yes.

1817. Notwithstanding that, you say that on the day of polling your mind was quite made up to vote for Mr. Somers, and that if you had not gone to Mr. Quinn's lodging, you would have voted for Mr. Somers?—Yes.

1818. Who is Mr. Dagnan?—A tenant of mine.

1819. Is he a voter?—No.

1820. Is he a friend of Mr. Towneley's?—No.

1821. Was he not at the election?—No.

1822. Do you mean that?—No; he is a friend of Mr. Somers.

1823. Do you know him?—I do.

1824. Is he not a voter?—No.

1825. You say Mr. Philipps was in this room when you got there?—He was.

1826. Let us have the words which passed between you and Mr. Philipps; tell us the exact words?—I never expected that I would be brought to this.

1827. You say you voted under fear and apprehension of what happened in that room; tell us what happened in that room; you are here before this Committee. Let us hear in words, what passed in that room, to prevent your voting?—He wanted me to go out and vote for Mr. Towneley, and I said I would not.

1828. What did he say then?—He said he would send in a man that would settle me.

1829. Was that Mr. O'Gara?—Yes.

1830. Then Mr. O'Gara came, and you say Mr. O'Gara was perfectly civil to you?—He was.

1831. What did he say to you?—He wanted me to go out and vote.

1832. What did he say to you?—He wanted me to go out and vote for Mr. Towneley.

1833. I want the words that Mr. O'Gara said to you?—I cannot recollect them.

1834. He was perfectly civil, was he?—Not cross.

1835. Did he try to coax you to vote?—I was threatened by a man; I do not know who said I should be forced out.

1836. They did not to try to do it?—They did not, more than by expressions.

1837. And then Mr. O'Gara, you say, was very civil to you; did he try to persuade you?—I compromised the case with Mr. O'Gara to get out of the place.

1838. Did Mr. O'Gara try to persuade you?—He, did as far as he could by asking me to go out and vote, and telling me it was right I should vote for my religion.

1839. Is that all he said?—That is all I recollect.

1840. And then you made up your mind not to vote at all?—I came to the house, and I did not vote.

1841. Tell

Matthew Fomey.

31 May 1853.

1841. Tell me what it was you were afraid of. What passed in that room, which could possibly prevent any man with the nerve of a child from voting?—Both in the room and before it?

1842. *Committee.*] What was it?—There were some men I did not know in the room who threatened me, and said I should be forced out of it, and when I got away from Mr. O'Gara, I came up to my own house.

1843. Mr. Serjeant *Kinglake.*] How far is your house?—About 300 yards from the Court-house.

1844. How far are Mr. Quinn's lodgings from the polling-place?—Better than 100 yards.

1845. Did you walk alone when you came out?—I did.

Examined by the *Committee.*

1846. We understand that you promised Mr. Somers, and that ultimately you did not to vote at all?—I did not.

1847. You have stated that you were afraid of the mob; but it does not appear that the mob would have prevented your voting. You have now told us that Mr. Philipps said that Mr. O'Gara would settle you; did he mean by some influence that Mr. O'Gara was supposed to have upon you?—I do not know, unless he considered that he could bully me out of it.

1848. What are your relations with Mr. O'Gara?—Sir?

1849. What do you know of Mr. O'Gara?—Nothing more than that I know him to be a parish priest.

1850. He has no other influence over you?—No.

1851. None whatever?—Not the least.

1852. Do you mean to tell us that it was more the terror of the mob than the terror of anything that was said to you by Mr. Philipps or Mr. O'Gara that induced you not to vote?—It was more the terror of the mob, and the check that I got in the house before either Mr. Philipps or Mr. O'Gara came as far as me in the room.

1853. What were you afraid of in the house?—A man came to me, and said, "We will drag you out, and compel you to vote," before Mr. Philipps came at all.

1854. Do you mean to say that you ultimately told Mr. O'Gara you would not vote at all, because somebody had threatened to drag you out, and compelled you to vote?—I told him I would not vote at all.

1855. You meant to say that you were under such a dread of something that was to occur to you, that you came to this sort of compromise; is that what you mean?—Just so.

1856. Do you mean to tell the Committee that?—I do.

1857. That it was actually under positive fear of the consequences to you, that you came to a sort of compromise with Mr. O'Gara not to vote at all?—So it was; that is the very reason.

1858. Was it fear of your life, or of what?—Fear of my life and my substance.

1859. Your house?—There was some property belonging to me, before the day of polling, destroyed; some potatoes.

1860. No other fear?—No.

1861. Was there any other inducement at all operating on your mind?—Not a halfpennyworth.

1862. None whatever?—No.

1863. Of any sort?—No.

[The Witness withdrew

Edward Brennan, sworn; Examined by Mr. Temple.

Edward Brennan.

1864. DO you remember the day before the last polling-day, Tuesday?—Yes.

1865. Do you know Patrick O'Brien?—I do.

1866. Is he a furniture broker?—He deals in second-hand furniture.

1867. Do you know John Haggarty?—I do.

1868. Do you remember being sent by Haggarty to O'Brien's house?—No; I was not sent, but I was in the house when Mr. Haggarty came.

1869. What

1869. What did Mr. Haggarty come for?—For a piano that was in it.
 1870. Was this on the Tuesday, the day before the poll?—It was the day before the poll; I do not know what day of the week it was.
 1871. Do you know what that piano was worth?—I could not tell that; I often handled it.
 1872. Mr. Serjeant *Kinglake*.] Can you play it?—No; I often changed it out of his house and into it.
 1873. Mr. *Temple*.] Do you know those two houses in Mass-lane, which the voters were taken to?—I know two houses in Mass-lane that they were in.
 1874. Did you see anything taken to those houses on the Monday, Tuesday, or Wednesday?—I only saw old Mr. O'Dowd going over.
 1875. That is all you saw?—All I saw at that time.
 1876. Did you see anything taken there?—No.
 1877. Did you see any meat or drink?—I saw some tea and sugar leave Mr. Haggarty's, and going up there.
 1878. Were you present at Priest Phillipps' chapel on the Sunday week before the election?—I do not know that I was in it the Sunday before the election.
 1879. Did you hear Priest Phillipps say anything to the people in the chapel about the election?—There was a Sunday when, I think, Mr. Somers was there.
 1880. What did Priest Phillipps say?—As near as I can give it, he said, "It was an election rather between the people and God," or "between God and the devil." I am not sure which.
 1881. Mr. Serjeant *Kinglake*.] You are not sure which?—I am not sure.

[The Witness withdrew.

Bryan Drum, sworn; Examined by Mr. Jones.

1882. DO you remember the last election for the borough of Sligo?—I do.
 1883. Are you a voter for the borough?—I was.
 1884. How long have you been a voter?—I cannot tell; I was a voter for Mr. Towneley first and last.
 1885. You have been a voter at two elections?—Yes.
 1886. Do you remember seeing Priest White at the last election?—I do.
 1887. Previously to the last election?—Yes.
 1888. Where do you live?—Pound-street.
 1889. Was it at your own house you saw Priest White?—It was.
 1890. About what hour of the day or night?—In the morning my wife was down street, and she brought him up to the house, and a boy of the name of Manan.
 1891. What did Priest White say to you?—He told me that my wife was satisfied; that she asked him to come up to her husband; that he was in dread last night that he would be taken away by Mr. Somers's party, and that she could not sleep the whole night for fear; and she requested him to come up and get him to some place where he would be protected.
 1892. The mob were all for Mr. Somers; do I understand?—They were on every side.
 1893. What day was this?—I declare I do not know any more than the man in the moon.
 1894. Did Priest White bring you down?—He asked me, would I go down; he had room for a few more, and they had told him the same thing.
 1895. Did you go to the room with Priest White?—I did.
 1896. What night was this you went?—In the morning.
 1897. What day?—The day before the election.
 1898. You were only there one night?—One night.
 1899. Did you see many people when you went to the room?—I did.
 1900. How many?—I believe about 15 or so.
 1901. Did you see a fiddler?—Yes.
 1902. You saw them in the room; were they eating and drinking?—They were.
 1903. Do you know Priest White well?—I do.
 1904. Are you and he great friends?—I never spoke to him until that very morning; I know him well.
 1905. Can you tell us where he is now?—No, I declare to God, I could not.

Edward Brennan.

31 May 1883.

Bryan Drum.

Bryce's Dram.

31 May 1853.

1906. I believe you know we are very anxious to find him?—I heard they were looking for him, and could not find him.

1907. He is put very nicely to hide, I believe; did you hear that?—I know nothing about it.

1908. Have you had any conversation with him since the election?—With Priest White?

1909. Yes?—No.

1910. You never saw him?—No.

1911. Have you had conversation with any priest since the last election?—No.

1912. You swear that solemnly, on your oath?—I do.

1913. Before the priest, and all?—Before God and the world.

1914. That you never spoke to a priest since the last election?—Not with any clergyman since.

Cross-examined by Mr. Serjeant Kinglake.

1915. Your wife it was who went out, and came back with Mr. White?—She went out with my breakfast in the morning, and she met him.

1916. Did he come to protect you from the Somers's people?—She said that the night before she did not sleep for fear of being taken away, because she was told by friends of Mr. Somers that we would be taken away, and a few more.

1917. She came back with Mr. White?—Yes.

1918. And then Mr. White told you there was a room to which you could go?—Yes.

1919. Was it your wish to go there?—I did go there.

1920. Of your own wish?—It was.

1921. And you say there were some others, and you say that the same thing had been told to Mr. White about some others?—Yes.

1922. Did you see some of these others there?—Yes.

1923. Who were they?—Cawley and Somers.

1924. How many did you see there altogether?—I think about 14 or 15. I did not exactly count them.

[The Witness withdrew.

Mr. Robert Peyton Graham, sworn; Examined by Mr. James.

Mr. R. P. Graham.

1925. YOU know Mr. Gethin?—Yes.

1926. He is agent here?—Yes.

1927. Was he acting as legal agent for Mr. Somers at the election?—He was.

1928. We have heard of the voters being taken from this treating-house in Mass-lane to his office. Did you observe the office?—That was the tally-room.

1929. Was that his private office?—It is his house.

1930. Where he carries on his business?—Yes; his name is on the door.

1931. Voters were taken to the treating-house in Mass-lane, and from there to the poll?—Yes.

1932. I believe you saw the voters?—Yes.

1933. Do you remember meeting that man Somers, as the voters were marching up to the poll?—I did.

1934. Had you an opportunity of speaking to the man or not?—I could not get an opportunity of speaking to him; but Mr. Somers, the candidate, who was with me at the time, made an attempt to speak to him. Somers, the tailor, was dragged away, and Mr. Somers, the candidate, was dragged away; and his shirt was torn by the parties having charge of the voters.

1935. Had the man an opportunity of applying to Mr. Somers to be rescued?—I did not hear it.

1936. Did you meet Mr. Gethin also on subjects connected with the election?—Mr. Gethin was the conducting agent.

1937. Did he see you about the election?—Yes; he settled the numbers on the tallies.

1938. He conducted the election as the conducting agent on the one side, with you, the conducting agent on the other?—There is no doubt about it.

1939. Can you give, of your own knowledge, the names of voters who positively pledged for Mr. Somers, and voted for Mr. Towneley?—I can.

1940. James

1940. James Brennan?—No; he did not vote. James Brennan was in the tally-room up to two o'clock. I went over to the tally-room to get as many of the unpolled voters up as I could; I found James Brennan in the tally-room, and he had not polled; I asked him to come over.

Mr. R. P. Grubb.

31 May 1853.

Mr. Serjeant Kinglake objected, that conversation between the Witness and a voter was not admissible as evidence against the Sitting Member.

Mr. James was heard in answer to the objection.

The Committee allowed the objection.

1941. Mr. James.] James Brennan had promised to vote for Mr. Somers?—Yes.

1942. Could you get that man to the poll?—I could not.

1943. Would he leave the tally-room to go to the poll?—He refused to go across to the poll.

1944. Do you know of any reason for his refusing to go to the poll, other than intimidation?—

Mr. Serjeant Kinglake objected to the question.

The Committee allowed the objection.

1945. Mr. James.] Do you know why that man did not go to the poll?—I believe, from what he told me ———

Mr. Serjeant Kinglake objected, that a statement by the Witness of something that he had been told was inadmissible.

The Committee allowed the objection.

1946. Mr. James.] Pat Begley; had he promised to vote for Mr. Somers?—He had.

1947. Mr. Serjeant Kinglake.] Did he promise you?—He did, often; and Mr. Somers, in my presence.

1948. Mr. James.] Did he vote?—He did vote, for Mr. Towneley.

1949. Mr. John Coyne; had he promised you for Mr. Somers?—He promised Mr. Somers, in my presence, over and over again.

1950. How did he vote?—For Mr. Towneley.

1951. John Chrystal; had he promised Mr. Somers?—He promised both Mr. Somers and myself.

1952. How did he vote?—For Mr. Towneley.

1953. James Cawley; do you remember the fact of his having promised Mr. Somers?—He promised Mr. Somers, in my presence.

1954. Pat O'Dowd the same?—Yes.

1955. He promised you and Mr. Somers?—He did.

1956. Frank Dunleary?—He did not promise me.

1957. James Healey?—He did not promise me.

1958. Martin M'Lane?—Yes; I have a letter from M'Lane.

1959. Did he promise to vote for Mr. Somers?—Over and over again.

1960. How did he vote?—For Mr. Towneley. M'Lane was in our tally-room up to two o'clock.

1961. William M'Donough?—He promised me for Mr. Somers.

1962. How did he vote?—For Mr. Towneley.

1963. John O'Connor?—I do not know.

1964. John O'Brien?—John O'Brien told me he would vote for Mr. Somers.

1965. How did he vote?—I believe he voted for Mr. Towneley.

1966. Michael Rooney?—I had a letter from Mick Rooney, promising to vote, a fortnight before the election.

1967. He voted for Mr. Towneley?—He did.

1968. Hugh Rooney?—Hugh Rooney, in my presence, promised Mr. Somers.

1969. He voted for Mr. Towneley?—Yes.

1970. Michael Somers, the tailor; he promised Mr. Somers?—He did.

1971. Patrick Walters?—He promised me for Mr. Somers.

1972. He voted for Mr. Towneley?—Yes.

1973. Frank M'Donough?—He was taken to my lodgings the night before, and he promised me he would vote for Mr. Somers; he was bailiff of the landlord for whom I was solicitor.

Mr. R. P. Graham.

1974. Do you know who took Frank M'Donough away?—I do not; I was there when he came up to the poll, and Mr. Philipps brought him up to the poll.

1975. He was taken by somebody from your house, and was brought up to the poll by Priest Philipps; so that the first time you saw him after he had been taken away from your house was when Priest Philipps brought him to the poll?—Yes.

Cross-examined by Mr. Serjeant Kinglake.

1976. Did Frank M'Donough ever have the honour of sleeping at your house?—No.

1977. Did you entertain him pretty well; did you make him comfortable?—I did not, indeed; my client was in the same lodging; we both lodged in the same house; he was down there to induce his tenants, the voters, to vote for Mr. Somers.

1978. He was down there to induce the voters?—To ask the voters.

1979. To induce the voters?—I correct my word.

1980. He was down there to induce the voters; what to do?—To ask the tenants to vote for Mr. Somers.

1981. You wish to withdraw those words, "to induce the voters"?—I saw no inducement.

1982. You have told us he was there to induce the voters; do you mean to say he was not?—He was not there for the purpose of using any undue influence.

1983. Was he there to induce the voters to vote for Mr. Somers, aye or no?—Not to induce them in the meaning you mean; it was not to induce them as you use the word.

1984. Was he there?—He was not there to induce them in the way I now construe "induce."

1985. Then it was a slip of the tongue when you used the word "induce"?—It was; I did not mean to use the word "induce."

1986. You mentioned voters?—I did.

1987. Then you said tenants?—His tenants, who were voters.

1988. What did you mean?—To say, that Mr. Somers had his interest there.

1989. You could have communicated that fact, perhaps?—I could not, for I had no authority.

1990. Do you mean to say that the tenants were not perfectly aware, without the landlord coming, that the landlord was a supporter of Mr. Somers?—All landlords of Sligo would support Mr. Somers.

1991. Do you suppose there was any one of the tenants of this gentleman, who did not know that the landlords would support Mr. Somers?—I do not understand you.

1992. Do you suppose there was a single tenant of this gentleman, the landlord, what was his name?—Mr. Fitzwilliam Burton.

1993. Do you suppose there was any tenant of Mr. Fitzwilliam Burton who was not perfectly aware that Mr. Burton would support Mr. Somers?—I do not know, indeed.

1994. You do not entertain any doubt about that?—I cannot give an opinion upon it.

1995. Did he go about to see them?—Who?

1996. Mr. Burton?—Mr. Burton was not there at all.

1997. The bailiff then?—His agent.

1998. Who was it asked them to vote?—The agent, Mr. Moran.

1999. I do not understand why this man came to sleep at your house?—Nor do I; Mr. Moran had the run of the house, as well as myself.

2000. You have put a long list of names before the Committee, and you say they all promised to vote for Mr. Somers?—All, except those that I excepted.

2001. Do you know as a fact, that they had also promised to vote for Mr. Towneley?—I do not believe they had.

2002. None of them?—They all denied it to me; they said their names were forged to a requisition; one of them told me that Mr. M'Niffe, a schoolmaster, had been practising his scholars in a variety of hands to vary their handwriting, and to have it well done.

2003. The little boys, you mean?—Yes.

2004. That you seriously believe?—I tell you what I heard

2005. Committee.]

2005. *Committee.*] I understand you to say you do not seriously believe it, but that you heard it?—I did not form a belief upon it; I heard it as a common rumour in Sligo.

Mr. R. P. Graham.

31 May 1853.

2006. *Mr. Serjeant Kinglake.*] How many of those whom you mentioned as having promised to vote for Mr. Somers, voted for Mr. Towneley in 1848?—Four, I think.

2007. Were the landlords pretty strong in favour of Mr. Somers?—I did not see them using any influence except legitimate influence.

2008. What do you call legitimate influence?—Asking a tenant for his vote.

2009. How was legitimate influence exercised in Sligo over the tenants?—Wherever he might meet a tenant, he would say, "Mr. Burton's wish would be, that you should vote for Mr. Somers."

2010. And I suppose that has a pretty significant meaning?—I do not know; you may attach one meaning to it, and I may attach another.

2011. The priests are a little in opposition?—No immense opposition.

2012. There are two influences; landlords and priests?—I would not describe it by the term influence; it was a monstrous violence on the one side.

Re-examined by *Mr. James.*

2013. We have heard a little of the opposition of the priests; was it a slight opposition at all?—It was the most outrageous thing I ever witnessed; open rebellion could not have been worse.

2014. Did you see men dragged to the poll?—I did; I saw two-thirds of the men that went over to poll, dragged by a priest on each side of him.

2015. Did you see any landlord doing that?—Not one.

2016. Do you know anything of any landlord interfering more than merely expressing a wish that a tenant should vote for Mr. Somers?—No; and I do not think in two cases I saw the landlords ask.

2017. Frank M'Donough, you say, slept at your house; was it safe for voters to go out into the town at night?—I was not out, but I heard that it was not.

2018. Where did M'Donough sleep?—He slept at the back of the house.

2019. Do you know where the man was taken to?—I heard where he was taken to.

2020. Did you make inquiry?—I did.

2021. Where did you learn he was taken to?—He was taken over and placed before the two treating-houses windows, in order to show him to the voters who were locked up in the same place; and I heard that he was clapped on the back to show that he had returned.

2022. You say you saw these priests dragging the people to the poll?—I did.

2023. *Mr. Temple.*] Do you remember that O'Connor was asked whether, at the time a supposed conversation took place with you, he had been drinking with you?—He had not; he came to the house.

2024. "I got something that elevated me at Mr. Graham's"?—It was not at my own place.

2025. Was it at your expense?—It was not.

John Patrick Somers, Esq., sworn; Examined by Mr. Jones.

2026. YOU made a canvass previous to the last election in Sligo?—Yes.

2027. From the promises you received, had they been kept would you have been the Sitting Member by a large majority?—Yes.

2028. Do you remember the period at which this most indecent scene occurred in the chapel?—I do.

2029. When you were publicly assailed by a priest fresh from his knees?—Yes.

2030. Up to the time at which this system prevailed, do you believe that you had pledged to you a majority of the voters of Sligo?—I am convinced of it; I had their distinct promises.

2031. Had you promises which would have insured you, had they been kept, a majority at the poll?—

Mr. Serjeant Kinglake objected to the question.

2032. *Committee.*] Let us have the number?—I do not exactly remember the number now; I calculated upon a majority of upwards of 40 from the promises.

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2033. Did

J. P. Somers, Esq.

31 May 1853.

2033. Did I understand you to say, that there being 336 voters, you having canvassed the town and cast up your books, you believed you should have a majority on the poll of 40 votes?—I did.

2034. *Mr. Jones.*] You saw every voter I believe?—With very few exceptions, every voter of the town.

2035. You canvassed every voter?—I did not canvass those whom I knew were opposed to me.

2036. Do you remember meeting Somers, the tailor, when he was going up to the poll, being dragged to the poll?—I do; he was standing in the hall of the Court-house, where the poll-booths were erected; there were only three booths; and he was in the middle of the grand jury room. As I was coming in between two persons I advanced towards him, and I was pushed away very violently and very nearly knocked down. I then made an effort to get up to the grand jury room, but I was intercepted on my way up stairs; and one of Towneley's party got his finger inside my neck-tie, and I must have been strangled if it had not been for Captain Pritchard and another gentleman who had been with me.

2037. Was your shirt torn?—Yes, very much.

Mr. James stated, that he proposed to tender evidence that treating had taken place in the house in Mass-lane, it having been proved that *Mr. Gethin*, the authorised agent, was there.

Mr. Slade stated, that he would admit *Mr. Gethin* to have been the agent.

Michael Somers, sworn; Examined by *Mr. James*.

Michael Somers.

2038. YOU are a little deaf?—Yes.

2039. We understand that you were taken to this treating-house in Mass-lane?—Yes.

2040. Did you call it a treating-house?—The house I was taken to in Mass-lane was a treating-house.

2041. It was the house *Priest Phillipps* had occupied?—He did not occupy it at that time.

2042. You were there about 11 o'clock in the day?—I was taken there about the hour of 11 o'clock.

2043. And you remained there until between six and seven o'clock the next morning?—I remained there until one o'clock at night.

2044. At times, you say, about 60 people were there?—Yes.

2045. What eating and drinking was going on there?—

[The Witness was directed to withdraw.

Mr. Slade objected to the question; and submitted, that in order to prove treating it must be shown to have taken place with the concurrence and consent of an agent of the Sitting Member.

Mr. James was heard in answer to the objection.

Mr. Slade was heard in reply.

The Committee-room was cleared.

After a short time, Counsel and Parties were called in.

The *Chairman* stated, that the Committee were unanimously of opinion that the question might be put.

Michael Somers, again called in; further Examined by *Mr. Temple*.

2046. You were taken to this house in Mass-lane on Monday night, I think?—On Tuesday morning.

2047. What did you see going on there in the way of eating and drinking?—I have seen persons there taking some whiskey, some beer, and there was some smoking.

2048. Was it brought into the room where they were, from time to time, by people belonging to the house?—Yes.

2049. Did you have any of it?—Yes.

2050. Was

2050. Was it going on all the time you were there?—Yes, it was; for when it was not taken in the room I was in, it was taken in an under part.

2051. Was liquor distributed just the same as at a public-house?—They were taking it now and then, as it was there; I considered that some could take more than others.

2052. Did the drinking and smoking go on continually all the time you were there, until you were taken to the poll to vote?—It did, with the exception of the time that it would run short, and they were forced to get in some more.

2053. I think you stated there were above 60 people in the house whom you knew to be voters?—That number, at all events.

2054. Did they all partake of the eating and drinking?—I cannot say they all partook of it, but a good many did; some do not take whiskey in Sligo.

2055. Do those that do not take whiskey take beer?—Some do not take beer.

2056. The teetotallers; did they have tea?—Oh, yes; there was tea there.

2057. And coffee?—I do not imagine there was any coffee.

2058. Had they ginger-beer?—Yes; there was what they call lemonade.

2059. Lemonade and ginger-beer?—It is much the same.

2060. Did they all breakfast there?—Yes.

2061. And dine?—A great many of them.

2062. As far as you were able to observe, did you see generally that they had their dinner?—Yes.

2063. And their supper?—They dined and took breakfast there.

2064. Was there anything adopted in the course of the night in order to keep up their spirits; any amusement; were there fiddles there?—Yes; the morning we left there had been a fiddler in.

2065. Was there dancing?—Yes.

2066. As far as you observed, were many of them drunk?—Not many.

2067. Not many drunk?—Not many; I noticed, I think, about four quite hearty.

Cross-examined by Mr. Slade.

2068. Michael, did you all sit down to dinner together?—Why, all could not take dinner together.

2069. How was it managed?—As many as the table would seat.

2070. How many could sit at a time?—I could not say exactly the number.

2071. How many misses had you?—I consider about 30 would sit down.

2072. Would the others watch them, or wait upon them?—They would wait to take dinner after they had done.

2073. How many had to wait?—I do not know.

2074. Yes, you do?—I did not reckon them.

2075. Do you think there were as many waiting as there were at table?—I cannot say.

2076. Which luck had you, the first dinner or the second?—I think I objected to take dinner; I was much fatigued by their keeping me there, and I was in an uneasy state of mind, and I did not sit down at first.

2077. You sat down in the second lot, I suppose?—I know some had done dinner when I sat down.

2078. You sat down in the second lot?—When one had done dinner, another man would take his chair.

2079. What time did you dine?—In the afternoon, I think, about three o'clock.

2080. Was it a common dinner?—There was some very good ham, there was corn beef, and other dishes I did not notice.

2081. Now about Mr. Gethin; what day did you see Mr. Gethin there; did you see Mr. Gethin there at all?—I told you yesterday that to the best of my knowledge I saw him there the day I was taken there.

2082. What day was that?—On the Tuesday.

2083. What time of the day?—I cannot exactly say; I told you yesterday on my oath I could not exactly say.

2084. You do not know what he was about?—I know what he was about; he went in there to see the number that had been in, and how things were going on.

2085. Was Mr. Gethin at the dinner?—No, I did not see him at dinner.

2086. Nor at breakfast?—Nor at breakfast.

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2087. Nor

Michael Somers.

31 May 1853.

Michael Semra.

2087. Nor at the drinking and smoking that went on?—I did not see him.

2088. Nor at the fiddling?—No.

31 May 1853.

Re-examined by Mr. James.

2089. You did not see Mr. Gethin eat and drink; but was there not eating and drinking going on while he was there?—There was.

2090. Mr. Gethin did not take any of the corn beef, or any of those luxuries?—I did not see him take it; I did not see whether he did or not; he might have done many things there which I did not notice.

2091. *Committee.*] You saw Mr. Gethin at the treating-house?—I cannot say that I did. I could not swear it; but to the best of my knowledge I have seen him there.

2092. Do you mean to say that you are not certain that you saw him there?—I will not swear what I am not really certain about.

2093. Did you hear any one order in these provisions?—I did.

2094. Who?—A man of the name of Henry, I think.

2095. Did you hear anybody else order in provisions?—No; I will not say any other person; I cannot identify that; but I have known that the liquor ran out, and he said there should be more brought in.

2096. Who is Henry?—He is a young man who takes goods from Mullingar to Sligo.

2097. He is a carrier?—Yes.

2098. And carries between Mullingar and Sligo?—Yes; he drives horses and carts.

2099. Is he a voter of Sligo?—I do not know that he had a vote at the time; but I know that he was a man who had a great deal of business there.

2100. He conducted the business there?—Yes.

[The Witness withdrew.

[Adjourned till Twelve o'clock To-morrow.

Mercurii, 1^a die Junii, 1853.

MEMBERS PRESENT.

Hon. W. H. Berkeley Portman.

Mr. Hindley.

Mr. Divett.

Sir Edmund Filer.

Mr. W. J. Evelyn.

EDWARD DIVETT, Esq., IN THE CHAIR.

Mr. Temple was heard to sum up the evidence on behalf of the Petitioner.

Mr. Slade requested the Committee to adjourn until to-morrow, at 11 o'clock.

The Committee assented.

[Adjourned till Eleven o'clock to-morrow.

Jovis, 2^a die Junii, 1853.

MEMBERS PRESENT.

Hon. W. H. Berkeley Portman.
Mr. Hindley.
Mr. Divett.

Sir Edmund Filmer.
Mr. W. J. Evelyn.

EDWARD DIVETT, Esq., IN THE CHAIR.

Mr. Serjeant *Kinglake* was heard to open the case on the part of the Sitting Members.

James Coffey, Esq., sworn; Examined by Mr. *Slade*.

2101. YOU are a Barrister practising in Ireland?—I am.

2102. Were you the assessor at the last election for Sligo?—I was.

2103. Had you before been acting as assessor at other elections?—No.

2104. This is the first time you have acted as assessor?—It is.

2105. Have you been present at other elections?—I have.

2106. I suppose the ordinary appearance of an Irish election is not new to you?—It is not.

2107. Will you tell us whether there were more booths than one at the Sligo election?—Yes.

2108. How many?—I think, as well as I recollect, there were three.

2109. Were they all within your view?—No.

2110. Which booth were you at?—I was, throughout the election, from booth to booth.

2111. You had an opportunity, therefore, of seeing how the election was going on?—I had.

2112. Was it peaceably conducted?—I can speak only of what came under my own observation; and that observation is confined to three periods during the whole election, and to three transactions; will you be kind enough to repeat your question.

2113. Were there three booths under one building?—There were.

2114. During what part of the election time were you there?—From its commencement to its close, and for some time afterwards.

2115. During the time you were there was there fair play?—Unquestionably.

2116. Had the parties a fair and free opportunity of going to the poll to give their votes?—As far as I can speak, and as far as came under my observation, undoubtedly they had; it was my business to take care they had.

2117. Was there any remonstrance or application made to you with reference to any difficulty of getting up voters?—There was.

2118. At what time?—I should think about an hour and a half or two hours after the poll had opened.

2119. Who made the application?—The application, if you will allow me to tell you the occurrence, was not directly made to me in the first instance. I heard some noise, and, as I thought, scuffling, and I came out of the Court-house, and on the steps I met the mayor, and I also met Mr. Somers; both these gentlemen appeared to me to be excited; they were in angry altercation together, and Mr. Somers called upon me to witness the condition he was in. His clothes appeared to be disarranged, as if he had been hustled, or as if there had been a scuffling. He called upon me to witness the condition he was in, and that he had not an opportunity of bringing up his voters. The mayor passed me, and he stopped the poll; he called out in a loud voice. The hall immediately adjoins the steps of the Court-house; and in the hall, as I shall call it, there was a polling-booth, and he called out, "Stop the poll." I turned to Mr. Somers immediately, and asked him if he required assistance or protection, or what was the occasion of the noise. I immediately proceeded across the way, where there was a police barrack, and I got the officer in command to give me a force of police, and I placed

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them from Mr. Somers' tally room across to the Court-house. I put men at the door, and I put men on each side of the booths. The poll was interrupted, I suppose, 10 or 12 minutes while that was being done; and by the desire both of Mr. Somers and some gentleman who was acting for Mr. Towneley—I cannot say who it was, but it was one of his agents—I desired the poll to be re-opened, and proceedings to re-commence. During the day that was the only circumstance that occurred.

2120. That took place an hour and a half after the opening of the poll?—It did.

2121. With that exception, did you observe any disturbance of any kind, with regard to the polling?—I did observe another transaction.

2122. What was that?—While I was standing in one of the booths, by the side of the deputy, who was taking the poll, some voter was brought in, and there was a crowd about him, as it appeared to me, of both sides, both Mr. Somers' friends, and Mr. Towneley's friends. There was an allegation made that this person had been taken by force, and that he was not a free agent. That being so, I desired that the booth might be cleared, except of the professional gentlemen on both sides, and I got the voter on the table, and I took the vote from the man myself.

2123. Mr. James.] Do you remember his name?—I cannot remember his name.

2124. Mr. Slade.] Did both parties on that occasion claim the voter?—They did; one asserted that he was a free agent, and the other asserted that he was not. I put the man on the table, I polled him myself, and I took care that no person should have the slightest communication with him.

2125. Do you know for whom he polled?—I cannot tell; it made no impression on my mind after the transaction had closed; I thought I had performed my duty, and it ceased to operate on my mind.

2126. I suppose the circumstances have since recalled it to your recollection?—Yes; your question about the disturbance recalled it to my recollection.

2127. Was that the only circumstance, which you have now related, which would at all tend to show there was any disturbance at the poll?—I have no doubt of it.

2128. Were you applied to by any person, on either side, with reference to voters being concealed or prevented from voting?—No, I was not.

2129. Nothing of that sort?—No; nothing from any of the parties.

2130. If that had been the case had you the power to interfere?—I conceive I had, and I so stated.

2131. I believe both you and the mayor had thanks voted to you by the respective parties?—They did me that honour; I had ample power to protect the peace, and ample power to secure a free poll, and I think I exercised it.

2132. And it was a free poll?—I have no doubt in the world of it.

2133. You have no doubt in the world that every voter had a free opportunity of recording his vote at that election?—Not a shadow of doubt of it.

2134. In your judgment, as far as you saw, was it a fair and free election?—Observe, I confine myself altogether to what passed under my own observation, and of which I had immediate responsibility and charge.

2135. Who was receiving the votes?—I received the votes the day of the nomination and the day of the return.

2136. Mr. James.] The day of the poll you mean?—I mean the day of the polling.

2137. Mr. Slade.] Was it during the whole of that time a fair and free election?—Unquestionably.

Cross-examined by Mr. James.

2138. As I understand, your attention was confined entirely in the performance of your duty to what occurred under your eye as the voters came to the poll?—Certainly, and the other two transactions.

2139. When the question was put to you about a free and fair election, your answer does not involve anything about denunciations or prior intimidation by petitions?—I know nothing of it.

2140. All you mean is, that those voters who came up with the intention of voting had the opportunity, physically, of recording their votes?—I go beyond that.

2141. What more?—I say mentally as well as physically.

2142. When

2142. When you say mentally, you mean they could come there personally and record their votes?—They could; I am bound to say also, that it was my duty, and I discharged the duty, to prevent any person interrupting or talking to any of the voters, from the time they came in and offered themselves to poll, until they had polled; it was my duty to keep the booth free of interference.

2143. Was Priest Philipps in the booth?—I saw several clergymen there.

2144. I ask you a distinct question?—I do not know Priest Philipps.

Mr. Philipps was called into the room.

2145. Did you see that gentleman in the booth (*pointing to Mr. Philipps*)?—I saw that gentleman there.

[Mr. Philipps withdrew.

2146. Was he there during the polling-day?—I should think so.

2147. Was he ordered out of the booth at the request of Mr. Somers?—No, I should not say that.

2148. As an assessor you were impartial, and you will be impartial now?—Certainly.

2149. I ask you whether, at the request of Mr. Somers, Mr. Philipps was not ordered out, or were you not requested to order him to leave the booth?—I have no recollection of Mr. Somers making any such request; but I have a distinct recollection of some person in the booth stating that the interference of the clergyman (and I believe it to have been that gentleman) was such, that (to use the expression which was used to me) they would not give a free vote under the priest's eye; that was the expression used to me; whereupon I forthwith directed that Mr. Philipps, or whoever the clergyman was (I will not undertake to say he was the gentleman, although I believe he was), should withdraw, not from the booth, but out of the view and reach of the voters.

2150. Where was he standing?—He was standing in close proximity to the voters.

2151. In close proximity to every voter as he came up to give his vote?—I should not say that; he was in and out.

2152. Was he standing in close proximity to the voters as the men came to the poll?—I will not go that length.

2153. How near was he?—He was within view of the voter.

2154. How near him?—I cannot charge my memory.

2155. Was Mr. O'Gara there during the time the polling was going on?—I do not know Mr. O'Gara; I know none of these gentlemen, for I never saw them until that day, and I have never seen them since.

Mr. O'Gara was called into the room.

2156. This gentleman (*pointing to Mr. O'Gara*)?—It is possible he may have been there.

[Mr. O'Gara withdrew.

2157. To the best of your recollection, was he present in the booth while the voters were polling?—I cannot tell you; I never saw any of the clergy before that day, nor have I seen them since; there were several of the clergy there.

2158. Mr. Slade.] You were a stranger at Sligo?—I was never there before in my life.

2159. Mr. James.] Was any application made to remove other priests besides Mr. Philipps?—I should think not; I have no impression of it on my mind.

2160. When the application was made to remove Mr. Philipps, did you require him to leave the spot?—When there was a request made to me, because any person was apparently influencing the election, I immediately acted on whatever request I thought was reasonable and proper.

2161. Who appointed you assessor?—I cannot exactly tell who appointed me assessor; but if you will permit me, I will tell you the circumstances: I was in the hall of the court, and Mr. Walker came up, and asked me whether I should be disengaged at a certain period; I said that I would; and he asked me whether I should have any objection to act as assessor; I said, that I should not.

2162. Did you see Mr. Stonor upon the subject?—No; never, until I went down there.

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2163. When you got there, did you see Mr. Stonor?—Yes.
2164. Who paid you?—The mayor, who was the person from whom I received the nomination, and who only had the power to appoint me.
2165. When did you first see Mr. Stonor?—I think the day before the election.
2166. Where did you see him?—I think I saw him in the mayor's office.
2167. What was he doing in the mayor's office the day before the election?—Upon my word I cannot tell you.
2168. Upon what business were you there?—I was called there to make arrangements, in conjunction with the mayor, as to the proceedings of the next day.
2169. Mr. Stonor representing Mr. Towneley at the mayor's office?—I can tell you what my impression is, but I cannot state any fact.
2170. He is a very active gentleman?—I do not know anything about that; I saw him on that occasion; I never saw him since.
2171. You were in the mayor's office for the purpose of making arrangements for the coming election?—I was.
2172. Have you any doubt that at that meeting he was representing Mr. Towneley?—It was not a meeting at all. I held no communication with Mr. Stonor about the arrangements for the election. I confined myself to the mayor, who I thought was the only person I could properly communicate with on the subject; and I took very good care to communicate neither with Mr. Towneley's agent nor Mr. Somers' agent in reference to the arrangements. You were asking me whether he was at that meeting; I say he was not at the meeting, *quoad* the subject in discussion.
2173. Was that the subject of discussion?—Which?
2174. The subject of discussion at the mayor's office?—The subject of discussion was the arrangements for the next day's nomination.
2175. And Mr. Stonor was there?—He was.
2176. In what character?—I cannot tell you.
2177. Oh! Mr. Coffey!—Oh! Mr. James!
2178. Who was there representing Mr. Stonor?—No one.
2179. Who was Mr. Stonor there as?—I cannot tell you.
2180. He is not the mayor's clerk, or anything of that sort?—Decidedly not; at least, I suppose not.
2181. What did it strike you Mr. Stonor was there about?—He was in the room that I was introduced into; I was not aware that Mr. Stonor was there; and when I was told he was Mr. Stonor, one of Mr. Towneley's friends, I took very good care not to communicate with him in reference to the arrangements of the election. I took the mayor over to a window; the interview did not last more than 10 or 15 minutes; I asked whether there were any of Mr. Somers' friends there, and I was told "No." That gentleman (Mr. Stonor) was represented to me by some one in the room (who it was I cannot undertake to say) as a friend of Mr. Towneley. As soon as I ascertained that fact—I had satisfied myself that no person representing Mr. Somers was in the room—I took the mayor to the window, and I spoke to him about the arrangements for the nomination of the succeeding day; and having done so, I told him that I did not think that was exactly a proper place to discuss the arrangements, and requested that he would be good enough to walk to my lodgings, where we should be by ourselves, and alone.
2182. *Committee.*] Why did you think that was not a proper place?—I thought it was not proper that the friends of one of the candidates should be there without the friends of the other.
2183. *Mr. James.*] I am not charging you, or imputing to you, that you held communication with Mr. Stonor; I am asking you to give your opinion to the Committee, as a gentleman of great intelligence, in what capacity you believed Mr. Stonor to be there?—I have already stated to you that I believed him to be a friend of Mr. Towneley. In what character he was there, whether as a barrister or a solicitor, I had not the slightest notion at the time.
2184. You thought it better, Mr. Stonor being a friend of Mr. Towneley, that you should discuss the matter perfectly alone with the mayor, uninterfered with by the agent on the other side; is that so?—That is quite so.
2185. Did you see Mr. Stonor during the election at all?—I did.
2186. During the polling-day?—Yes.

2187. He

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2187. He was very busy, I believe?—Very busy.

2188. What was he chiefly engaged in?—He was chiefly engaged in communicating with Mr. Towneley's agents, and friends, and supporters.

2189. Did you see him bring voters up to the poll?—I cannot say that I did, but my impression is that he was with them.

2190. Was he constantly in the booth?—Oh yes, he was.

2191. Constantly?—Constantly.

2192. Is it the habit in Ireland to thank voters, and so on, as they come up to the hustings?—Yes.

2193. Did Mr. Stonor do that a good deal?—I rather think he did; I would not like to swear positively; that is my impression.

2194. Perhaps he was one of the most active partisans during the election?—I should say so, decidedly.

2195. I am requested to let it be distinctly understood that I make no imputation upon you?—I had no personal acquaintance with either of the candidates.

2196. Did you see Mr. Stonor on the declaration of the poll?—I did.

2197. Did Mr. Stonor speak?—I think not.

2198. You would not have allowed him, perhaps, not being a voter?—I think I should have allowed him.

2199. Did you hear him speak at all?—I heard him making remarks while the speeches were going on. He was in the immediate vicinity of Mr. Towneley on the nomination, and on the day the poll was declared. He certainly spoke to me on the subject of the arrangement for declaring the poll. I think I requested him to look over the book as I was totting it, to see that I was totting it correctly.

2200. I presume you had the agents on each side?—I had.

2201. Whom had you on the part of Mr. Somers to tot up the poll?—I rather think that gentleman (*pointing to Mr. Graham*).

2202. Having Mr. Graham on the part of Mr. Somers, did you request Mr. Stonor, on the part of Mr. Towneley, to take the other side?—Now you bring it to my recollection, Mr. Stonor was sitting behind me on the assessor's seat with several other gentlemen. I was totting the figures, and he put his head over my shoulder, and he pointed out what he supposed an error in my totting, and I said, "Will you be good enough to correct along with me."

2203. I ask you, did you treat Mr. Stonor in that matter as the accredited agent of Mr. Towneley?—Positively I did not; I treated him as I would treat any other gentleman; he saw me making a mistake.

2204. You requested his assistance?—Yes.

2205. Was Mr. Gethin helping you at all, or was that left to Mr. Stonor?—There were a number of people about; I cannot individualise them.

2206. Mr. Stonor did that?—He did.

2207. What arrangement did you make with him for the declaration of the poll?—With whom?

2208. With Mr. Stonor. What was the character of the arrangement?—I spoke of the character of the transactions that occurred when I went in to declare the poll. There were a number of friends of both the candidates there; I waited some time for Mr. Somers' appearance; I must confine myself to that one transaction with reference to the arrangement I spoke of; I think he gave me sealing-wax to seal up the books; that was the extent of the interference.

2209. The arrangement of the declaration?—I spoke of that.

2210. He was there at the declaration of the poll?—He was.

Re-examined by Mr. Slade.

2211. I believe it is customary in Ireland, although we have broken through the good custom in England, to have counsel down at an election?—Yes.

2212. You have yourself been counsel, I believe?—I have.

2213. As counsel, I suppose, it is also customary to do what you saw Mr. Stonor doing on that occasion?—Decidedly.

2214. I believe there had been some little mistake in the summing up of the poll?—Yes; he thought he corrected me in an error, and I will not be quite certain that I did not make a mistake, for it was in the rough totting in the first instance, on a separate bit of paper. I have a perfect recollection of his putting

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his head over my shoulder, and putting his finger upon a tot, and saying I had made a mistake; whether I had or not, I will not charge my memory now.

{The Witness withdrew.

Mr. William Allen, sworn; Examined by Mr. Slade.

Mr. W. Allen,

2215. I BELIEVE you were late the Town-clerk of Sligo?—I was.
 2216. And I believe you are a Protestant?—I am.
 2217. Have you known all the elections of Sligo for the last 30 years?—Nearly 31 years.
 2218. Was the last election an orderly and peaceable election?—[I never saw an election more so in the town of Sligo; and perhaps as a contested election, I may say I never saw any equally peaceable.
 2219. Did you hear of any intimidation or any violence exercised towards the voters, or witness any?—I saw nothing of it, and I do not believe there was any, as far as my knowledge of the transactions goes.
 2220. Neither to person nor to property?—Neither to person nor to property.
 2221. Were you connected with the magistrates at that time?—Not at the last election.
 2222. Was Mr. Towneley, who has been represented as a stranger, popular in Sligo?—Very much so.
 2223. Was Mr. Somers popular or unpopular?—I do not think he was popular at the last election.
 2224. I believe there had been some difference of opinion on religious matters which had estranged the minds of some of the electors?—Yes; he had been popular, but his popularity had ceased before that.

Cross-examined by *Mr. Jones.*

2225. You are a firm friend, I believe, of Mr. Towneley?—I was.
 2226. You have been so a considerable time?—Yes.
 2227. Do you remember the last election petition against Mr. Towneley?—I do.
 2228. Were you brought over here in any capacity?—I was.
 2229. I believe you were in charge at that time of the poll-books?—I was.
 2230. Did you absent yourself from attendance at the Committee?—Not intentionally.
 2231. You swear that, before Mr. Somers and the other gentlemen here, solemnly, that you did not intentionally absent yourself?—I do; and if the Committee wish it, I can explain.
 2232. You have had a great deal to say to Mr. Towneley, and Mr. Towneley's affairs, connected with these elections?—In what way?
 2233. I ask you generally, have you not interested yourself very warmly for him?—I have.
 2234. Have you not gone round and canvassed voters?—I have.
 2235. Have you not used your influence in every possible way?—Not in every possible way; I solicited some of my friends to vote for him.
 2236. Did you not do your best for him?—I did all I could.
 2237. Did you not do your best for him?—I think I have done my best to promote his interest and secure his return for the borough.
 2238. Do you remember ever telling anybody that you got 50*l.* on account of a larger sum which you were to get, to keep away with the poll-books?—I will swear I never said such a thing, and that I never got such a sum.
 2239. Had you any communication with any friends of Mr. Towneley, at the last election, to go away with the poll-book?—None.
 2240. Of any sort or kind?—Never.
 2241. Was there an adjournment of the Committee, on that occasion, for a day?—I do not know.
 2242. In consequence of your absenting yourself?—I heard there was.
 2243. At what hour of the night were you discovered by Mr. Kelly and Mr. Graham?—At what hour of the night?
 2244. Yes?—I was not discovered that night at all.
 2245. When were you discovered?—It was on the night after that; it was on Sunday

Sunday night; I was sitting in my own room, with three or four friends sitting with me, and they came in to serve me with a second subpoena.

2246. With a second subpoena?—With a notice from the Chairman.

2247. At what hour of the night?—I think it was between nine and ten o'clock.

2248. You were sitting, you say, with a few friends?—Yes.

2249. Had you long returned to your lodgings?—I was at my lodgings since the night before.

2250. And you had not left them?—Except that I went out and came back again; I dined at home and breakfasted at home, and I served them with a notice of where I was; it was an accidental absence, which I can explain to the Committee if they wish it.

2251. You spoke from what you saw in the streets, of the way in which the election was conducted?—From what I saw in the Court-house and in the streets; I was in and out continually before and during the election.

2252. Do you know what the first election cost Mr. Towneley?—No.

2253. Did you ever hear?—I do not think I ever heard.

Examined by the Committee.

2254. You were an active friend of Mr. Towneley at the last election?—I was.

2255. Had you anything to do with the financial operations of the election?—No, nor with the financial operations of any election; I have always refused to have anything to do with that.

[The Witness withdrew.]

Charles Towneley, Esq., sworn; Examined by Mr. Stode.

2256. YOU are the present Sitting Member for Sligo?—I am.

2257. You were returned at the last election of 1852?—I was.

2258. I believe you were first returned for that borough in 1848?—Yes.

2259. And unseated on petition?—I was.

2260. Between the time of your being unseated and your return, did your connexion with Sligo cease?—It did.

2261. Previous to the election of 1852, did you receive a numerous signed requisition to stand for the borough, on the general election?—I did.

2262. Had you had communication with parties with reference to your intention to stand?—About a year ago, I think in 1851, I was written to, to know whether I would stand.

2263. I believe your answer was, that it would depend upon the disposition of the electors?—Yes.

2264. You received a requisition you say?—Yes.

2265. Can you produce it?—I do not know where it is at this moment; I had it about two months ago.

2266. You cannot lay your hand upon it?—No.

2267. Was it unanimously signed?—One hundred and forty-seven signatures.

2268. I believe you had another requisition signed by others?—There was another requisition I was informed.

2269. You did not see that?—I did not see that.

2270. You were supported, we are told, by the Catholics?—No doubt.

2271. Did you receive the support of any of the Dissenting ministers, or of the Dissenting party?—Yes; I received considerable support from nearly 20 Protestants; my principal supporter and most ardent friend was Mr. Martin, who is the principal gentleman in the town; there was also Mr. Williams, the leader of the Methodists; and there was Mr. Allen, whom you have seen here.

2272. Is Mr. Martin a Protestant?—Yes; his son was Member for the borough some years ago. I should think that upwards of 12 Protestants voted for me, and I saw eight or 10 who told me they would not vote against me.

2273. About what time before the election did you reach Sligo?—I reached Sligo on the Tuesday or Wednesday.

2274. About four or five days before the nomination day, I believe?—Yes.

2275. Who was your legal agent in the town?—Mr. Guthin.

2276. Was he the sole agent you had?—Mr. Walker was also employed by me.

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2277. Had

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2277. Had you any other agent?—None.

2278. There has been a great deal said about Mr. Stonor; was Mr. Stonor your agent?—Certainly not.

2279. In what capacity did Mr. Stonor accompany you, if he did accompany you?—I asked him to accompany me as a private friend, and also to act as counsel.

2280. You are aware that it is usual in Ireland to have your counsel with you at an election?—It is.

2281. Were you met on entering the town by the principal people?—I was.

2282. Did Mr. Williams, the leader of the Methodists, meet you?—I think he did.

2283. Mr. Allen?—Yes.

2284. And the rector of Sligo?—No, I think not.

2285. Had he promised to vote for you at one time?—He voted for me at the previous election; at this election he told me that he would not vote against me, but he begged me to excuse his voting for me. He afterwards wrote to me a note, to beg me to release him from his promise, and I told him to act as he thought best.

2286. Were your directions to Mr. Gethin that nothing should be done which tended to illegality?—Yes, and to every friend that I had. I stated to everybody to whom I had an opportunity of doing so, that I would infinitely rather lose the election than have one illegal act done, and I begged that to be circulated as widely as possible.

2287. I believe you attended a canvass, did you not?—I did.

2288. Who attended you on your canvass, several persons?—Several persons, according to the quarter of the town I was canvassing.

2289. I suppose Mr. Stonor attended you sometimes?—Occasionally, but by no means always; I do not say he did not canvass two or three voters; in short, he did not act with me as a canvasser. I selected for canvassing the principal gentlemen in the neighbourhood of the town where I was. In the neighbourhood of Mr. Allen, I asked him; in the neighbourhood of Mr. Williams, I asked him; and in the neighbourhood of Dr. Phillipps, I asked him. I took whoever were the principal gentlemen in the neighbourhood in which I was, and requested them to go round with me.

2290. Did Mr. Stonor, during any part of that canvass or election, act in any other way than your friend and counsel?—Certainly not; not to my knowledge.

2291. Not to your knowledge, or with your consent?—Certainly not, and against my consent if he did; for I authoritatively ordered him not to do so.

2292. I believe Mr. Stonor had been employed by you in London as your counsel?—I have employed him in conveyancing. I built a small farm the other day, and I sent the title-deeds to him; I have employed him in that way, he being an eminent conveyancer.

2293. You were, of course, at the polling-booths during the election?—I was.

2294. And saw Mr. Stonor there?—I did.

2295. Did you see any interruption to the polling?—I did not see it; I was there at the time; but I recollect the mayor coming into the booth that I was in. After a short time he left the booth; and a short time after that, I think 10 minutes, the mayor came in and said, "Stop the poll"; and consequently the poll stopped for about 10 minutes, and then went on again. I did not see what interrupted it, but it appeared to me to be a stoppage of from five to ten minutes.

2296. It was about an hour and a half after the commencement of the poll, I believe?—I think it was.

2297. Did you see the occasion, which has been referred to by Mr. Coffey, when a voter was put on the table?—No.

2298. Did you see Mr. Somers at the poll?—Frequently.

2299. He was speaking to the voters, I suppose?—Yes.

2300. The same as any other candidate would?—Yes; I saw him come on the table, and go off the table; he came into the booth where I was two or three times.

2301. Can you tell us what has been the expense of this election?—I think from 600*l.* to 700*l.*; Mr. Gethin, I understand, has a balance to return to me; that was the outside of the money I gave him.

2302. You

2302. You do not know exactly what sum you put into the hands of Mr. Gethin?—£.600. *C. Twomey, Esq.*

2303. And you think there is a balance coming to you?—Yes.

2304. Had you heard complaints during your canvass about your friends being apprehensive of Mr. Somers's party?—I heard two or three reports; one was, that a man was afraid of being carried away.

2305. Do you know a man called James Brennan?—Yes.

2306. Did he promise you?—He did.

2307. A man who lives at No. 11, Knox-street?—I do not know the name of the street.

2308. It was James Brennan?—Yes, I think so.

2309. It was not a man out of the town?—The man I mean wore a Waterloo medal; he had been a soldier.

2310. He promised you?—Faithfully and willingly two or three times over.

2311. Did John Chrystal promise you?—He did.

2312. Did Michael Rooney promise you?—He did.

2313. Did Hugh Rooney promise you?—He did; two Rooneys promised me, I know.

2314. Did Michael Somers promise you?—He did; he told me the first time I went to him, that he was very willing to vote for me, but he could not get over the name; that the name was dear to him, and that he would not make up his mind, and the next time I went he promised me his vote; I canvassed him the next day, or the next day but one.

2315. Patrick Walters, do you remember him?—I am not sure; I recollect the name, but I do not recollect clearly going to the man, although I believe I did.

Cross-examined by Mr. James.

2316. Is Mr. Stonor any connexion of yours at all?—Very distant.

2317. Is he some connexion?—I do not exactly understand; he is not connected by marriage, except that he is a cousin of my brother-in-law.

2318. He is some connexion?—Yes.

2319. Have you known him very long?—Yes, I have known him 15 or 20 years; I have known him a long period.

2320. He is a barrister, practising in Boswell-court?—He is.

2321. Did you lodge with him at the same house at Sligo?—Yes.

2322. You both occupied the same lodging at the last election, I believe?—Yes.

2323. Who introduced you originally to the borough of Sligo?—An Irish solicitor came and asked me to stand; Mr. Nolan.

2324. Did you send over Mr. Stonor before you made up your mind?—I did not send him over, he was going over on his own business.

2325. Did he go over before you?—He did; he went over on his own business, which he had with Mr. Lynch.

2326. Going over on his own business; did he not report to you his opinion as to whether you should stand, or not?—At the former election he did.

2327. You were petitioned against, and unseated for treating?—Yes.

2328. Was it not for treating at the very place, and with voters at the very place (Mass-lane) that has been brought against you to-day?—No.

2329. Do you mean that?—I do.

2330. Where was it?—At an inn which Mr. Somers occupied.

2331. Did you entrust money to Mr. Stonor for the last election?—No.

2332. I do not mean the last election; did you disburse no money at the prior election?—Yes, I did.

Mr. Slade objected that Mr. James must be confined in his cross-examination to facts connected with the last election.

Mr. James was heard in answer to the objection.

Mr. Slade was heard in reply.

2333. *Committee.*] What time did you receive that requisition?—I think it was about two or three months before the election.

The room was cleared.

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After a short time Counsel and Agents were called in.

The Chairman stated that the Committee had decided that the question might be put.

2334. Mr. James.] Did you entrust, at the prior election, sums of money to Mr. Stonor to disburse?—I did.

2335. Did you leave to him a discretion in the matter; I have his letters here?—I think I did.

2336. Have you any doubt that you left to him an entire discretion in the disbursement of the money. I will read one passage from a letter: "I also allow a sum which I think right for street agents and others;" and so on?—At the former election?

2337. Yes?—Mr. Cantwell was acting as my agent at that time.

2338. Is it true that you gave Mr. Stonor a discretion in these disbursements?—To a certain extent, I did.

2339. For instance, the disbursement of 130 £ amongst poor electors after you were unseated on the petition in August 1848?—I really do not recollect the fact.

2340. You remember 130 £ for private disposal amongst poor electors, after you were unseated in August 1848. Is it the fact that you gave him a discretion to disburse that as he thought fit, out of your own funds?—I have no recollection that I gave him 130 £ for that purpose.

2341. Had he such a discretion in the deposit of funds by you with him as to disburse 130 £ by private disposal amongst poor electors?—Certainly not.

2342. Then if he did that, that was unwarranted?—Yes.

2343. Has he rendered you any accounts for the election of 1848?—Yes.

2344. Have you got them?—Yes.

2345. Do not you know that he disbursed 130 £, and placed it at Mr. Alderman O'Donovan's disposal for private disposal, amongst poor electors?

2346. You never heard of it?—No.

2347. Have you got the accounts here?—No; I have got them at my house, I think.

2348. Did he go over on this last election before you?—Yes.

2349. For what purpose did he go over to Sligo before you?—He never stated to me the purpose; he stated that he was going over.

2350. On the purposes of the election?—He did not state that to me.

2351. Now, Mr. Towneley?—I am willing to tell you all he said to me.

2352. Had he any other object in going to Sligo, but the purposes of the election?—I suppose he had not.

2353. When did you receive the requisition?—It was after I came to town; it must have been in the spring; about two or three months before the election.

2354. In the spring of 1852?—Yes.

2355. Who brought you that requisition?—It was sent to me by the mayor.

2356. Mr. Verdon?—I think so.

2357. Was he acting as mayor?—I do not know; he was mayor at the time.

2358. Was it not in the mayor's year of office that the mayor sent you the requisition?—Yes.

2359. Give me about the time it was sent to you?—I do not recollect the day; it was sent, I think, in April.

2360. You had anticipated standing for Sligo long before that, had you not?—Yes, I had; I forget the time when I had the bishop's letter, or some other letter.

2361. What bishop?—Dr. Brown.

2362. When had you anticipated first standing for Sligo; a long time, I think, before you got the requisition?—Certainly; I was written to several times to stand.

2363. From 1848 (for I have got your letters here) down to the period of the election, did you not anticipate starting as candidate for Sligo; and were you not making arrangements with Mr. Stonor for the purpose?—I do not recollect.

2364. Were you not consulting Mr. Stonor during the year 1851, and during the spring of 1852, with reference to starting for the borough of Sligo, and making arrangements?—I certainly talked the matter over with him in 1851.

2365. Were you not consulting with him; and was it not within your knowledge that he was making arrangements for your candidature in 1852?—I do not recollect all the conversations I have had with him.

2366. I am

2366. I am not asking you that. Were you not anticipating in the early part of 1851, and early in 1852, the fact of being a candidate for Sligo, and were you not arranging and consulting with Mr. Stonor on that subject?—What I really recollect is this; that several people asked me whether I was going to stand; I always said that would entirely depend on the feeling of the constituency. There was no doubt, that if the feeling of the constituency was strong in my favour, I might stand, but I declined standing until I knew what was the real feeling in my favour.

2367. Did you know that Mr. Stonor proposed or advised, that if you should be re-elected member for Sligo, Mr. Alderman O'Donovan should be paid. Is that Mr. Stonor's handwriting (*handing a letter to the Witness, dated 11th November 1851*)?—I suppose it is.

2368. Did he recommend, that if you were elected for Sligo, Mr. Alderman O'Donovan should be paid?—What I intended with regard to Mr. Alderman O'Donovan's payment was, that when I knew what it was, he should be paid; and the only thing that prevented him being ultimately paid, or the only thing that delayed the payment, was, that it was carried from one court to another, and therefore I would not make any definite payment until I knew what the sum was, although I was not by law liable to it. I was induced to pay it when I heard that Alderman O'Donovan was not in the same circumstances in which he had been; and therefore I determined to pay it.

2369. Did you know of the negotiations which were going on, and the applications on Mr. O'Donovan's part to Mr. Stonor, and Mr. Stonor's negotiation in the matter?—I do not recollect.

2370. Look at this letter of yours in May 1852; has not that letter reference to Mr. Stonor's negotiations of Mr. O'Donovan's claim (*handing a letter to the Witness*)?—That is in answer to a letter that Mr. O'Donovan wrote to me.

2371. Read it?—"I regret that at the present moment it is impossible for me to enter upon the subject of your letter. I remain, yours faithfully, Charles Towneley."

2372. That is Mr. O'Donovan's claim upon you?—Yes; it was in answer to Mr. O'Donovan.

2373. Did not you know that Mr. Stonor was negotiating the claim upon which Mr. O'Donovan subsequently wrote to you, but for which he applied to Mr. Stonor, in the first instance?—I think it is very probable.

2374. Did not you see that letter before it was sent (*handing to the Witness a letter, dated 11th November 1851*)?—Clearly not.

2375. Had he authority from you to treat with Mr. Alderman O'Donovan?—No, not to treat with him. I told Mr. Stonor, I told several friends of mine, I should pay Mr. O'Donovan's bill.

2376. Had Mr. Stonor authority from you to correspond with Mr. Alderman O'Donovan on the subject of his claim?—In the first instance, certainly.

2377. What do you mean by "in the first instance"?—When it was under trial; when he made the claim in the first instance, in 1848; and he continued that correspondence.

2378. In 1851, do you mean to state that he had no authority to treat with Mr. Alderman O'Donovan on the subject of his claim?—He had none in 1851. If he treated with him, it was a continuation of what he had done.

2379. A continuation of the former negotiation?—No.

2380. What then?—Mr. Alderman O'Donovan wrote to obtain payment.

2381. Mr. Alderman O'Donovan was paid 100*l.*?—Yes, but he claimed more.

2382. Who paid him that?—Mr. Stonor, I think.

2383. Out of your funds?—I conclude so.

2384. Do you mean to intimate that Mr. Stonor paid Mr. Alderman O'Donovan 100*l.* out of your money?—Certainly not, if it was for any of the transactions that went on.

2385. I mean the very subject of the negotiations of these letters?—No doubt. The subject of the negotiation of the letters was an accumulated law bill on a trifling transaction.

2386. When was that 100*l.* paid?—I do not recollect.

2387. Was it after November 1851?—I really do not recollect the time, as this was carried on for three years from one court to another. I have no doubt that the 100*l.* was paid to Mr. Alderman O'Donovan, but I really do not recollect the time at which it was paid.

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2388. Mr. Verdon, you say, brought you the requisition?—He sent it me by the post.

2389. Mr. Verdon, the proprietor of a newspaper?—Yes.

2390. Did you pay the expense of the publication of a portion of that newspaper?—I agreed, for the improvement of that paper, that I would go to the expense of 50*l.* for what they call the "neutral news," which I believe a gentleman of the name of Busk supplied to several newspapers. He supplied the markets, and foreign news, and literature, and other things which are neutral news, leaving a sheet for political news to be filled up.

2391. Has that been going on up to the period of the election?—No doubt.

2392. Did not you authorise Mr. Stonor to conduct that part of it, and give him the money to pay?—No. I agreed to subscribe that sum to Mr. Verdon's newspaper. I certainly desired Mr. Stonor to pay the money to Mr. Busk.

2393. Is it to that this has reference; "I am very glad to hear how bright our prospects are under your mayoralty, but do not understand why the address does not come over; it would afford Mr. Towneley an opportunity of saying something conciliatory to the Protestants;" is not that in the paper of Mr. Verdon to which you were subscribing for the publication of the neutral news?—I never saw that letter.

2394. Was he writing upon a matter that you had deputed to his care; did you not depute to him the arrangements about Mr. Verdon's newspaper?—No; I simply desired him to pay Mr. Busk; I believe it is Mr. Busk.

2395. Who is Mr. Busk?—The gentleman who supplies the newspapers with the neutral news.

2396. You desired Mr. Stonor to pay him?—Yes.

2397. That is Mr. Verdon's paper published in Sligo?—Yes.

2398. Is that the paper in which your address appeared?—Yes.

2399. And in which there were articles in your favour?—Yes. Mr. Busk lived in London, and Mr. Stonor was in London; otherwise, if I had lived at Sligo, I should have desired Mr. Verdon to pay Mr. Busk.

2400. Mr. Verdon, the mayor, bringing you the requisition, and being the publisher of this newspaper, did not these articles go on until the very period of the election, you paying 50*l.* towards the subscription?—

Mr. Slade objected to the question.

Mr. James withdrew the question.

2401. This was the state of things down to the election?—I do not understand your question.

2402. I ask you if this is the paper to which you continued your subscription down to the period of the election?—I subscribed to that paper for two years.

2403. What is your subscription to that paper?—I think I pay 5*l.* a year.

2404. Committee.] How long have you paid that 5*l.* a year?—Five or six years. It was the liberal paper in Sligo, and I wished to improve the paper. I found that two other papers, to which I subscribe in England, four times as much as I subscribe to this paper, had been much improved by the publication of neutral news; I thought it a good thing to improve a liberal paper, and I told Mr. Verdon I would subscribe.

2405. This neutral news, I think you say, related matters not connected with politics?—Yes; Mr. Busk is the man who subscribes all the foreign news, all the markets, all the literature; he supplies, I think, four columns out of six; he lives in London, and consequently being in London, and having subscribed that amount to Mr. Verdon, I thought it better that Mr. Stonor should pay it, who had been connected with another paper in Yorkshire, instead of paying to Mr. Verdon, from whom it would have had to come back to London.

2406. Was that the mayor's paper?—Yes.

2407. And the mayor brought you the requisition?—He sent it to me.

2408. Mr. Stonor, you say, went over to Sligo before you on the subject of the election?—Yes.

2409. When did you leave town for the election of 1852?—I left town on Saturday; I think it was ten days before the election.

2410. Had Mr. Stonor returned, or did you find him there?—Mr. Stonor had returned.

2411. Did he bring you back a report of your prospects at the election?—He stated what had taken place there.

2412. Did

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2412. Did he bring you back a report of your prospects in that borough. That is a distinct question to a Member of the House of Commons?—I will tell you what he did: he detailed to me a dinner which had been given there, and the way it had gone off.

2413. Did he attend the dinner?—I believe so.

2414. Who paid for it?—I do not know.

2415. Have you?—No.

2416. Who gave the dinner?—I believe it was given by the people themselves.

2417. Do you mean by the voters?—By whoever gave it; I do not know who gave it; I did not pay a shilling for it.

2418. Did he tell you that he spoke at the dinner?—Yes.

2419. On your behalf?—Yes.

2420. Did he report favorably?—Yes.

2421. Did that induce you to go?—No; the requisition induced me to go.

2422. And his report, perhaps, had a little to do with it?—It had something to do with it.

2423. Did he tell you that he had seen Mr. Tighe and other gentlemen?—No.

2424. What did he go for?—I concluded he went to ascertain what was the feeling of the electors.

2425. On your behalf?—I suppose so.

2426. Have you any doubt?—No.

2427. Did he report favourably?—Yes.

2428. Did you go in consequence?—If you mean solely——

2429. No; but partially, in consequence?—Yes.

2430. Did you both start together from London?—No.

2431. Who went first?—I did.

2432. How soon did he come after you?—He came the next day.

2433. Did you lodge together?—Yes.

2434. During the whole time?—Yes.

2435. Canvass together?—Occasionally.

2436. Constantly?—No.

2437. Do you mean that, Mr. Towneley?—I do.

2438. How many times will you say that you canvassed with Mr. Stonor?—I canvassed in the whole, I think, either three or four days.

2439. Did you ever canvass with him?—Yes.

2440. When?—I think both the third and fourth day.

2441. What was the cause of his not accompanying you on the third and fourth days?—I forget.

2442. Business?—I do not know.

2443. Come, Mr. Towneley; was it for some election arrangements, and so on, to he made?—No.

2444. What then?—I do not know.

2445. Had you a canvassing book at your lodgings?—Yes.

2446. Did you go over the canvassing book with Mr. Stonor after your canvass?—No.

2447. Never?—I do not recollect that I did.

2448. Do you mean to state that, Mr. Towneley?—I do.

2449. Think. Never?—I do not recollect ever going over the canvassing book with him during the election.

2450. Was Mr. Gethin at your lodging?—Occasionally.

2451. Was Mr. Stonor with him?—I forget.

2452. Except on two occasions, was Mr. Stonor absent from your side, from the time you went to the election to the end of it?—Certainly. He lived in the same house with me, and of course he was as frequently out of the house as he was in it.

2453. Did you occupy the same room?—We dined in the same room.

2454. Was Mr. Gethin there?—He came occasionally.

2455. Did not Mr. Stonor go over the canvassing book with yourself and Mr. Gethin constantly?—No.

2456. You mean to state that?—Yes.

2457. Never?—I do not recollect his going over it.

2458. You never spoke to him about it?—Yes. You asked me if he went over it with me.

2459. Did Mr. Stonor canvass by himself?—I do not know.

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2460. Who

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2460. Who canvassed with you when Mr. Stonor canvassed with you; Mr. Gethin?—No; I do not think Mr. Gethin ever canvassed with me.

2461. Who canvassed with you when Mr. Stonor canvassed with you?—Several persons.

2462. Who generally?—Dr. Philipps.

2463. Priest O'Gara?—I do not recollect O'Gara.

2464. Priest Quinn?—I do not recollect.

2465. Did you canvass with Priest Quinn?—No.

2466. Never?—I do not recollect it.

2467. With Priest Philipps?—Mr. Philipps came with me on some of the days.

2468. I believe you had known Mr. Philipps, and he had been at your residence in Lancashire?—Yes.

2469. Is he an intimate friend of yours; has he dined at your residence?—Yes; I asked him and the bishop.

2470. Was that since you had started for Sligo, or did you know him before?—Last autumn.

2471. That is, after the election?—Yes; either in September or October.

2472. You were a stranger to Sligo before 1848?—Yes.

2473. What was the origin of your starting?—Mr. Nolan, the solicitor, asked me to stand for Sligo.

2474. You have stated that you gave 600 *l.* or 700 *l.* to Mr. Gethin?—Yes.

2475. Do I understand you to state to the Committee that that is all the expense for the incidents of the election for the borough of Sligo?—I do.

2476. Have you given money to the Catholic priests?—Yes.

2477. To Mr. Philipps?—Yes.

2478. How much?—£. 25.

2479. For what?—I gave it for charity; I gave it through the newspapers.

2480. To Dr. Brown, the bishop?—I sent 25 *l.* to the Catholic priest; I sent 25 *l.* to Dr. Day, the Protestant rector; and I think I sent 40 *l.* to the dissenting congregations, to be expended in charity.

2481. They returned it, did they not?—I think not.

2482. Did they return you the money?—No, I think not.

2483. Do you know?—My impression is, that they did not.

2484. Was this done by you, or through Mr. Stonor?—I think I sent it to Mr. Philipps myself; I sent to Mr. Day myself.

2485. Have you not dispensed money at the last election through Mr. Stonor?—No.

2486. No money at all?—No money at all; certainly not, that I know of.

2487. Not to any of the priests or the chapels?—No.

2488. Who sent the money to the Dissenters?—I saw Mr. Williams myself, and told him I should send it.

2489. Who sent it?—I forget at this moment.

2490. Try and remember whether that was not done through Mr. Stonor.—I gave Mr. Stonor, when I had to pay Mr. Gethin, 200 *l.*; and I desired him to give that to Mr. Gethin.

2491. You gave Mr. Stonor 200 *l.* to pay Mr. Gethin?—Mr. Gethin was in the next room, and I desired Mr. Stonor to take that money; because he was paying bills in the next room, I desired Mr. Stonor to take that money to him.

2492. And he took it to him?—Yes.

2493. Was Mr. Stonor with you when the bills were being paid?—No, he was not in the room; Mr. Gethin was in the room; he gave it to Mr. Gethin, and he came back immediately.

2494. Have you had any account from Mr. Gethin of the expenditure of this money?—No; but I expect it.

2495. Then up to this moment you have had no account whatever?—No.

2496. You do not know how it has been expended?—No.

2497. You have never inquired?—Yes.

2498. What was the answer to the inquiry?—That it has been legitimately expended in paying bills. I know nothing about it myself, except that Mr. Gethin has had the whole control of it. You will have that from him. He has not given me an account of it.

2499. Was

2499. Was Mr. Stonor your agent in 1848, or not?—My agent in 1848 was Mr. Cantwell. C. Trevelyan, Esq.,
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2500. Was Mr. Stonor, in your opinion, an agent for you at the election of 1848; what is your theory about that?—I entrusted money to him in 1848, which I did not in 1852.
2501. Does that make the difference, in your opinion?—Yes.
2502. Can you give any other distinction between Mr. Stonor's conduct in 1848 and his conduct in 1852 which induces you to say he was not your agent in 1852, except the entrusting of money?—Yes.
2503. What?—I employed him in making several arrangements for the election in 1848, which I did not in this election.
2504. What did he not do in this election?—I desired him to do nothing.
2505. Why?—Because, in the first place, money had been improperly spent in 1848; and in the next place, people had acted without his authority, saying they had it.
2506. Are you aware that he met Mr. Coffey, or was present with the mayor when Mr. Coffey was there?—No.
2507. You were not aware of that?—No.
2508. Did you see him bringing voters to the poll?—No.
2509. You did not?—No.
2510. You were at the polling-booths?—Yes; there were three booths, and he certainly brought no voter to the poll when I was there.
2511. Did you hear him speak on your behalf, from your own window in the room in which you were present?—Yes.
2512. Did you hear him attribute your success to the priests, and more particularly to Priest Philipps in your own presence, from your own window?—I really do not recollect the purport of all his speeches; he may have done so.
2513. Do you say that he did not, from your window, and in your presence, attribute the success of your election to the Catholic priests, and especially to the exertions of Priest Philipps, your friend?—There were something like 20 speeches made out of that window almost every day, but I really do not recollect.
2514. Will you undertake to say that it was not?—No.
2515. Who spoke for you besides Mr. Stonor?—Mr. Strickland.
2516. Who is he?—My cousin.
2517. Mr. Stonor spoke a good deal, did he not?—Mr. Strickland spoke oftener than Mr. Stonor.
2518. Then he must have been always speaking; did Priest Philipps speak out of your window?—Yes.
2519. And the bishop?—He did.
2520. Were you at the chapel the Sunday before, when Mr. Somers was there?—No; I was never at the chapel when Mr. Somers was there.
2521. I presume you would not sanction denunciations from the altar?—I should not.
2522. Were you aware it had been done?—I heard of it afterwards; I did not hear the same words as have been stated here, but I heard afterwards that he had spoken against Mr. Somers.
2523. Did you not allow him to speak from your window to the electors after you had heard he had denounced Mr. Somers from the altar?—He spoke from my window very often.
2524. Did you not allow Mr. Philipps, the priest, to speak from your window to the electors in your presence, after it had been complained of to you that he had denounced Mr. Somers from the altar of his chapel?—I have already told you that he did speak from the window.
2525. After it was brought to your attention that Priest Philipps had denounced Mr. Somers from the altar, did not you allow him to address the mob from your window?—I did not hear it stated that he had been denounced.
2526. What did you hear that he had stated?—That he had spoken against Mr. Somers.
2527. At the altar of the chapel?—No.
2528. Where?—From the pulpit; I will tell you what I did hear: the service was performed in the most decorous manner, just as would be at any other time; a sermon was preached I think by Mr. Quion, and without any reference whatever to politics; after the prayers were over, and the altar put away, and every-

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thing removed, Mr. Philipps came up in his cassock, and made a discourse, praising me in preference to Mr. Somers.

2529. In his vestments?—In his black cassock, the same as he would wear in any room.

2530. Did Priest Quinn speak from your window?—I think not.

2531. Priest White?—I really do not recollect.

2532. Will you say that he did not?—No.

2533. Priest O'Gara, the gentleman who was sent in to "settle" the voter?—I do not recollect; I only recollect seeing Mr. O'Gara once or twice.

2534. Mr. O'Gara did address the people from your window once or twice?—I do not say that.

2535. Where did he speak from?—I do not recollect that he spoke; I said I only saw him once or twice.

2536. Priest White?—I do not think I saw him.

2537. Did you canvass with Priest O'Gara?—No.

2538. Did you canvass with the bishop?—No.

2539. Did you bring Priest O'Gara over here?—No.

2540. Did he not come with your knowledge?—No.

2541. You do not know of his being brought here?—No.

2542. Have you subpoenaed Priest Philipps?—No, he was subpoenaed by Mr. Somers.

2543. Then you have not subpoenaed him?—No.

2544. Did Mr. Stonor speak at the nomination?—I think not.

2545. From your window, I mean?—He made one or two speeches from my window.

2546. Did he speak during the polling?—Not that I recollect.

2547. Did he speak on the day of the declaration of the poll from your window?—I really do not recollect; he made one or two speeches, and certainly not more from that window.

2548. Who retained Mr. Gethin?—I retained him.

2549. Did not Mr. Stonor?—Not that I know of.

2550. Who retained Mr. Walker?—I did.

2551. Did not Mr. Stonor?—Not that I know of.

2552. Did Mr. Stonor report to you when he came back from his journey to Sligo, to see what your prospects were, that he had retained Mr. Gethin and Mr. Walker?—I retained Mr. Walker myself; Mr. Walker was in London.

2553. Then I understand you to say that you retained him yourself, and that Mr. Stonor did not?—I cannot tell; he had no orders from me to retain him.

2554. Who introduced Mr. Walker to you?—Mr. Stonor, in London.

2555. Did he bring him to you in London?—No; I was calling upon Mr. Stonor for some business of my own; I was then in treaty for buying a farm, and Mr. Walker came in.

2556. And he introduced Mr. Walker to you?—Yes.

2557. Did you retain him in Mr. Stonor's chambers?—Yes.

2558. In Mr. Stonor's presence?—Yes.

2559. Did he not suggest to you to retain Mr. Walker?—No, not then.

2560. What did he say about him?—Mr. Walker came over to me, and I determined to retain him as soon as he came over.

2561. Had he before suggested the retaining of Mr. Walker?—Very likely he had.

2562. And you met him in Mr. Stonor's chambers, and retained him in his presence?—Yes.

2563. Has Mr. Walker been paid?—I do not know; Mr. Gethin paid him, if he has been paid.

2564. Did you give Mr. Gethin the money to pay Mr. Walker?—I think not.

2565. Has not Mr. Stonor paid him?—I think I gave Mr. Stonor 50*l.* to give to him.

2566. When?—At Sligo. Mr. Walker had bills to pay for me the same as Mr. Gethin. It was simply that I wanted to send it through a safe hand. I did not countenance the expenditure of a shilling by Mr. Stonor, but I wanted to send to Mr. Walker, and also to Mr. Gethin, and in the same way in which I had sent to Mr. Gethin, I sent to Mr. Walker.

2567. At

2567. At the time you retained Mr. Walker in Mr. Stonor's presence, Mr. Stonor having introduced him to you, did not you know that Mr. Walker had been Mr. Somers' agent for years in the conduct of all his elections up to that moment?—I knew he had been Mr. Somers' agent in 1848.

2568. And ever since you had known the borough?—I only knew the borough in 1848.

2569. Did Mr. Stonor suggest that it would be a good plan to retain Mr. Somers' agent?—No, he did not.

2570. He suggested the retaining of him?—I talked the matter over with him.

2571. And you knew he had been Mr. Somers' agent?—I did.

2572. And you did retain him in Mr. Stonor's presence, and in Mr. Stonor's chambers?—Yes.

2573. *Committee.* Was this retainer a 50*l.* retainer?—No; I simply asked him to be my agent.

2574. You said that you sent him the retainer?—At Sligo. There was 50*l.* wanted by Mr. Walker for expenses which he had to pay, and I desired Mr. Stonor to give it him.

Re-examined by Mr. Slade.

2575. You have been asked something about Mr. Walker having been the agent of Mr. Somers in the election of 1848?—Yes.

2576. I believe sometimes professional men do change sides?—Yes.

2577. Was my friend, Mr. James, your counsel in 1848?—He was.

2578. Now, about this 50*l.* which you gave to Mr. Stonor at Sligo; was that for Mr. Walker to pay some bills?—Yes; Mr. Walker had the entire disposal of that 50*l.*

2579. Was it on the same occasion you gave him the money to pay Mr. Gethin?—No, it was two days after.

2580. Do you know where Mr. Walker was?—I think Mr. Walker was in his own house.

2581. I suppose you did that precisely in the same way as you would ask any friend who was staying with you to have the kindness to go and pay 50*l.*?—Yes, I should have sent my servant, but I do not like to send large sums by a servant; and therefore if Mr. Strickland, or anybody else, had been there, I should have asked them.

2582. You asked Mr. Stonor in the same way as you would have asked Mr. Strickland?—Yes.

2583. Mr. Gethin was in the next room at your lodging, I understand you to state?—Yes.

2584. And he wanted 200*l.* to pay some small bills?—Yes; he was paying some election accounts for me in the adjoining room; Mr. Strickland and two other gentlemen were with me; we had just done breakfast, and instead of going in to where Mr. Gethin was paying the bills, I desired Mr. Stonor to take him the 200*l.*

2585. In the next room?—In the next room.

2586. Were those the only two money transactions that you had with Mr. Stonor on that occasion?—I gave him, on another day, some money to take to Mr. Gethin, exactly in the same way.

2587. What was that amount?—I think 250*l.*; I am not quite sure; it may have been 300*l.*

2588. Part of this large sum of 600*l.*?—Yes, part of it.

2589. *Committee.* These sums which you have mentioned now were included in the 600*l.*—Entirely. I sent the whole of the money in that way; it was in two payments; I am not exactly sure of the amount each time. I sent 50*l.* to Mr. Walker, and I sent, in two other payments, the remainder to Mr. Gethin.

2590. Mr. Slade.] Mr. Stonor, as I understand you, had no disposing power over these two sums, further than that of handing them to these two gentlemen?—Not the slightest.

2591. Had you given him in the year 1848 a discretionary power over the disbursement of money?—Yes.

2592. Totally different from what he had on this occasion?—Yes. In 1848 Mr. Cantwell was my agent, and had the greatest power, but certainly I gave a discretionary power to Mr. Stonor on that occasion, and that power was abused.

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Several people assumed an authority to incur bills which I had not given, and which I had never authorised.

2593. Alderman O'Donovan was one?—Yes.

2594. Had that made you more cautious?—No doubt.

2595. And that was the reason why you did not give any one a discretionary power about money, except your legal agents?—Exactly.

2596. With regard to Dr. Philipps, you have been asked if you were made acquainted with his having found fault with Mr. Somers; had you been made acquainted with the terms in which he had spoken?—No.

2597. As far as you knew, Dr. Philipps had always behaved as a Roman-catholic clergyman ought, I believe?—Perfectly so. If Dr. Philipps, or any other priest, had said a word in my presence, whether in a chapel or not, which I conceived would lead to the personal injury of any person, I should either have walked out of the chapel, or have desired him never to come into my presence again.

2598. If Dr. Philipps, or Mr. Quin, or anybody else, had attempted in your presence to exercise undue influence over the minds of voters, should you have found fault with it, and resented it?—No doubt.

2599. If there was such influence, was it done with your consent and concurrence?—I had more than once expressed myself strongly against anything like undue influence being used; I had not only given no authority, but I always desired that such a thing should not be exercised.

2600. After the election you sent, you say, 25*l.* to the Catholic poor to be distributed by the priests?—Two months before the election.

2601. And the same sum to the Protestants?—I did.

2602. And the same sum to the Dissenters?—I did.

2603. All those sums were to be distributed through their respective pastors?—Yes.

2604. The newspapers which were published in the town; did I understand you to say that you subscribed to them all?—No.

2605. Only one?—Only one.

2606. That was Mr. Verdon's?—It was the Liberal newspaper in the town.

2607. Do they publish a Conservative paper?—Two, I think.

2608. You do not subscribe to them?—No; there is the editor of one of them here.

2609. Supporting Mr. Somers?—Yes.

2610. Now, about this neutral news; is there an individual in London whose business it is to provide country newspapers with what is called neutral news?—Yes.

2611. And that neutral news is made up of everything but politics?—Exactly.

2612. The state of markets, and such like?—Yes; it is supplied to the Dover paper, and the Dissenters' paper in Yorkshire, and various other papers.

2613. You know that?—Yes.

2614. Did you find that that very much improved the paper?—Yes.

2615. It benefited the paper?—Considerably. The paper at Dover had not only succeeded, but had completely put down all the other newspapers which formerly existed, in consequence of its improvement through the neutral news.

2616. And you gave 50*l.* to that?—I gave 50*l.* to that.

2617. That is to say, you paid the money?—Yes.

2618. How long will the gentleman you mentioned have to supply the news for that?—For a year, I think, or six months.

2619. When was it you did this?—I think about a year ago.

2620. After the election?—After the last election?

2621. Yes.—No; before the last election.

2622. With reference to Mr. Alderman O'Donovan, you say, there had been a disputed account?—Yes.

2623. Had there been any processes out?—Yes; it had gone through three courts. It had been tried three or four times, otherwise it would have been settled.

2624. Who was he trying it with?—It was an account which he disputed his right to pay; I think, a man of the name of Gallagher.

2625. He had been compelled to pay this sum?—A man of the name of Gallagher claimed this amount from Mr. O'Donovan. Mr. O'Donovan disputed his

his right to pay Mr. Gallagher. It was tried, and occupied three years. It went to three or four courts, and, to the best of my recollection, it occupied two or three years in going from one court to another; consequently, during that time, I never knew what the law expenses were. It was the law expenses incurred in those different trials which Mr. O'Donovan claimed from me.

2626. You paid it, although you did not think yourself in law liable?—I did not wish a man on whom the claim was made on my behalf, although not authorised, particularly as he had acted warmly as my friend, to have it in his power to say that I had ungenerously deprived him of that which, although erroneously, he claimed to have spent on my account. I heard that he was in bad circumstances, and therefore I made up my mind to give it to him.

2627. Out of consideration of the unfortunate position in which he had been placed?—No doubt.

2628. Thinking that he had been acting as your friend?—No doubt.

2629. As I understand, you gave nobody any authority to write any letter in reference to that?—No.

2630. Are you sure that requisition was sent to you by the mayor; was it not sent to you by Dr. Phillips?—I received a note from Dr. Phillips at the same time, I think; I will not say it came the same day, but it was the same day, or the day after.

2631. What makes you think the requisition was sent to you by the mayor?—I think there was the corporation seal upon it.

Examined by the Committee.

2632. Have you been in the habit of retaining agents for registration, or any other purpose in Sligo, since the election of 1848?—No, I think not.

2633. None at all?—No.

2634. Since the election of 1848, until the payments that you have informed us you made, you have not disbursed any money in the town of Sligo?—No.

2635. None at all?—Except what I subscribe to the newspaper.

2636. Nothing else?—No.

2637. Was this denunciation in the chapel on Sunday, before the election, after the service?—I really do not know; I should think it was; I was not present; it was 10 days before the election, if not a fortnight; I was not in town, I was in London.

2638. I understand that you were present?—No; it was the following Sunday that I was present; if what took place before I came was similar to that which I did hear, it would be that Dr. Phillips went up into the pulpit with nothing more than a black cassock on, the same as a priest wears in a private house.

Michael Gethin, Esq., sworn; Examined by Mr. Huddleston.

2639. WERE you Agent for Mr. Towneley at the last election?—Yes.

2640. His principal agent?—His conducting agent.

2641. Had you also the co-operation of Mr. Walker?—Yes.

2642. Had you been Mr. Towneley's agent in the year 1848?—One of his agents.

2643. Did you receive instructions from Mr. Towneley with reference to his election of 1852?—Yes.

2644. What were those instructions?—He instructed me generally, that I was to be his conducting agent at the election, and to guard against any illegalities, and to be prudent in the conduct of the election generally.

2645. Were you careful during the election of 1852?—I think I was particularly so.

2646. We have heard something about this house in Mass-lane; were you in that house in Mass-lane during the election of 1852?—I was not; and the first time I ever heard of my being there was in this room.

2647. You mean when Michael Somers ventured to say that he thought he saw you there?—Yes.

2648. Were you ever in that house?—About two years before the election the house was occupied by Dr. Phillips, and I dined there once; that is the only time I was ever in the house.

2649. To whom does the house belong?—Miss Matilda Doherty.

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2650. It is not Father Philipps' house then—No.

2651. *Committee.*] Is it a private house?—It is a private house, unoccupied since the election, and long previously.

2652. Not used at all?—Not used at all.

2653. Mr. *Huddleston.*] Do you know anything at all about that house in Mass-lane?—Nothing whatsoever.

2654. Had you anything to do with it?—Nothing whatsoever.

2655. Did you pay anything towards it?—Never.

2656. We have heard from Mr. Towneley that you had certain money intrusted to you for the expenses of the election?—Yes.

2657. Have you expended the whole of that money?—No, not at the election. If I made out my election account there would be a balance in my hand in favour of Mr. Towneley; a good many matters have taken place since, and if I followed up my account there would be no balance in my hands.

2658. You are agent in this inquiry?—Yes.

2659. With reference to the expenses of the election, there is a balance at present?—Of about 100 *l.* I should say.

Cross-examined by Mr. Jones.

2660. This house which has been called the treating-house, in Mass-lane, you say is the property of Miss Doherty?—Yes.

2661. Miss Doherty is the daughter, I believe, of the man with whom Mr. Towneley lodged?—Yes.

2662. And where Mr. Stonor lodged?—Yes.

2663. And they are warm friends of Mr. Towneley?—Yes.

2664. Miss Doherty is to be paid, I suppose, for her house?—I know nothing about it; I never spoke to her in all my life about it.

2665. Do not you believe as a matter of fact that she will be paid for the house?—I cannot form the slightest possible belief on the subject.

2666. Do you wish the Committee to understand that you cannot form the slightest possible belief whether she is to be paid for the house or not?—I do not know what arrangement was made; I suppose if she can get money she will take it.

2667. You suppose there was an arrangement?—Perhaps there was.

2668. You do not mean to tell the Committee that voters walked in there without some arrangement being made with this lady?—I know nothing about the house or the arrangement.

2669. Did you know the house was there?—It has been there for the last 20 years.

2670. You admit the fact that the house is in Mass-lane?—Yes.

2671. Did you know it was there at the time of the election?—Of course, as a house, I knew it was there.

2672. Mr. *James.*] Was your office used as a tally-room on the polling-day?—It was.

2673. About what time was it opened?—About a quarter before eight.

2674. A little before, was it not?—No.

2675. Did some of the voters come up two-and-two?—I do not know what occurred before eight o'clock. At eight o'clock the court-house was opened; I was the conducting agent; there were three deputies, and three poll-clerks to be sworn. I arranged with Mr. Graham that the tallies were to go up, three on each side. I went over to see the deputies sworn, and the poll-clerks sworn, and also to see that the polling went on properly. I remained in court half an hour, and then I returned to my house.

2676. Perhaps you might have explained it, by saying you were not there?—I was not there the first half hour.

2677. Did you sleep at your house that night?—No.

2678. What time were you at your office in the morning?—About a quarter to eight o'clock.

2679. Did you find many people there?—No.

2680. Do you remember the man Somers coming with a lot of them, two-and-two, up to your office?—No.

2681. Perhaps you will swear he did not come?—I will not.

2682. Did you see him at your office?—I saw him during the day at my office.

2683. Early

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2683. Early in the morning?—No.
2684. Will you undertake to say he was not at your office before eight o'clock, with a number of men, marched to your office?—Perhaps at 10 minutes before eight o'clock he was there.
2685. Was he?—Probably he was.
2686. What do you think?—I believe he was.
2687. How many did he come with?—I do not know.
2688. About how many did you find in your office at a quarter before eight o'clock?—At a quarter before eight o'clock?
2689. Yes.—I made arrangements with two tally agents about making out the tallies, and then I went across to the court-house.
2690. Who were they?—The tally agents?
2691. Yes.—Mr. Bevan.
2692. Who else?—Mr. McNiff, a solicitor.
2693. Do you remember the fact of seeing Mr. Michael Somers there?—I saw him there during the day.
2694. Did you not see him before the polling commenced?—I did not.
2695. What time did you see him there?—I should say about 12 o'clock.
2696. Did he come up with a batch of others?—He was polling when I saw him.
2697. Did you see him poll?—No.
2698. What was he doing when you saw him?—A great number of them, after polling, returned again.
2699. Where did you see him after he polled?—In my office.
2700. I do not understand you to represent that he was not at your office before he polled?—I did not see him.
2701. When did you first see Mr. Stonor on the matter of this election?—This last election?
2702. Yes, this very last; try and remember; do you remember his coming over to the dinner?—Yes.
2703. You were at the dinner, probably?—Yes.
2704. Did you hear him speak?—Yes.
2705. Did he propose Mr. Towneley's candidature at the dinner?—No.
2706. What did he speak about?—Mr. Towneley's health was, I believe, proposed, and some supporters of his, and then Mr. Stonor was generally called upon to return thanks.
2707. Did you consult with him about the coming election?—Yes.
2708. Did you show him the requisition?—No.
2709. Try and remember?—Certainly not.
2710. Did he retain you?—Never.
2711. Who did?—Mr. Towneley.
2712. When?—By letter.
2713. When?—Previous to the election.
2714. Long before?—I cannot tell you exactly.
2715. About how long; some months; very early in the year?—No.
2716. Try and remember; every attorney remembers a retainer, and counsel too, generally; it is a fact you cannot forget?—I think about a fortnight before the election.
2717. What?—A fortnight before the election.
2718. Before Mr. Stonor came over to the dinner, or after?—After.
2719. After he came over he retained you?—Yes.
2720. Where did Mr. Stonor stop when he first came over?—At Mr. Doherty's house.
2721. Did you talk about the prospects of Mr. Towneley at the last election?—Yes.
2722. Did you tell him a favourable report?—I said we should win by 30 or 40.
2723. Did you canvass very much?—Not much.
2724. A little?—Sometimes.
2725. With whom chiefly?—Mr. Towneley.
2726. Mr. Stonor?—Perhaps I might.
2727. Do not say "perhaps"?—I believe I did.
2728. Have you any doubt about it?—No doubt.
2729. Have you the slightest?—Not the slightest.

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2730. Have you a scintilla of doubt?—Not the slightest.
 2731. How often did you canvass with him?—With Mr. Stonor?
 2732. Yes.—Twice or three times.
 2733. A little more?—No more.
 2734. Eh?—No more.
 2735. Who did you canvass with chiefly?—Mr. Towneley.
 2736. Did you canvass with Priest Philipps?—Yes.
 2737. How often?—Two or three times; I did not go with him much on the canvass.
 2738. Had he a committee-room?—No.
 2739. Where used you to make up your votes after the canvass?—At Mr. Doherty's.
 2740. Was that at Mr. Towneley's own lodgings?—Yes.
 2741. You made up the books in Mr. Towneley's room?—Yes.
 2742. Was Mr. Stonor present?—Very often.
 2743. Very seldom absent?—Seldom absent.
 2744. Did he go over the books with you?—Not often; Mr. Strickland almost always went over the books.
 2745. Never mind Mr. Strickland; did Mr. Stonor go over the canvassing books with you after your canvass, in Mr. Towneley's lodgings, or did he turn his head on one side and look out of the window?—No.
 2746. Did they go over it with you?—Not exactly with me; Mr. Strickland and I went over it; Mr. Stonor now and then came up, and certainly we told him the result of the canvass.
 2747. Did not you report every day to him the result of the canvass?—I do not think we did.
 2748. Will you swear you did not?—I will.
 2749. How often, did you report the result of the canvass?—Two or three times.
 2750. Two or three times in the whole election?—Yes.
 2751. When you were making up the books?—Yes.
 2752. Who made the arrangement with the mayor for the declaration of the poll?—I did.
 2753. And Mr. Stonor?—Never.
 2754. You have heard Mr. Coffey's examination?—Yes.
 2755. Were you present on that occasion?—Do you mean when the books were making up?
 2756. When the arrangement was made for the declaration of the poll?—I was not.
 2757. Who did that?—The mayor.
 2758. Who made the arrangement with the mayor for the declaration of the poll?—I did.
 2759. With Mr. Stonor?—Never.
 2760. Was he present?—Never.
 2761. You have heard Mr. Coffey tell us of an interview when Mr. Stonor was there?—I was present at one such interview.
 2762. Were you present with the assessor?—Yes.
 2763. You know the man O'Dowd?—I do.
 2764. Did you accompany Mr. Philipps to O'Dowd's house?—I did not.
 2765. You remember that?—I do.
 2766. Mr. Philipps is here?—Yes.
 2767. Have you kept him here?—He is here.
 2768. Have you kept him here?—I told him to remain here.
 2769. Until the end of the inquiry?—Until the end of the inquiry.
 2770. Is he stopping here at the expense of the Sitting Member?—I believe he is.
 2771. Is Mr. O'Gara here at your expense?—He is.
 2772. Any other priest?—No others.
 2773. Where is Priest White?—I do not know.
 2774. Eh?—I do not know.
 2775. When did you see him last?—Three or four days before he left Sligo.
 2776. How long ago is that?—About five weeks ago.
 2777. Where has he gone?—I do not know.
 2778. You saw him three or four days before he left?—Yes.
 2779. Where

2779. Where?—In his own house.
 2780. What took you there?—I cannot say.
 2781. You cannot say?—Yes, I recollect; I met him outside the door, and he brought me in to show me a small pony that he has.
 2782. Was he just going to ride off?—I am fond of a horse, and he wanted my judgment.
 2783. Was the pony saddled and bridled?—No.
 2784. You have never seen him since?—No.
 2785. Where is the pony?—I do not know.
 2786. He called you in "promiscuously," as we call it, to show you the pony?—Yes.
 2787. He was not saddled and bridled?—No.
 2788. You have not seen him since?—No.
 2789. Has it occurred to you to know where Priest White is?—No; a great many inquiries were made for him.
 2790. Has the pony gone too?—I saw a servant boy ride the pony.
 2791. Were you going to buy the pony?—No.
 2792. What made him take you into his house before he started?—I am fond of a horse, and he wished to have my opinion of the pony.
 2793. Priest White wanted your opinion of the pony?—Yes.
 2794. How long had he had this pony?—I should say five or six weeks, or two months.
 2795. Where had he bought him?—I do not know.
 2796. Since the election had he bought him?—Yes.
 2797. Had he the pony before?—He had.
 2798. What! a pony?—Yes.
 2799. You have never heard of him since at all, and do not know where he has gone?—No.
 2800. You have not the least notion where he is?—No; I will tell you what I heard.
 2801. Tell us anything you like?—The rumour I heard is, that a chapel is to be attached to a convent in Sligo, and that he has gone on a tour, authorised by the bishop, to make collections for the chapel.
 2802. Where to?—I do not know.
 2803. Had you served your warrants at the time you saw him?—No.
 2804. You knew that warrants had been served upon the witnesses long before that, in Sligo?—Yes.
 2805. Had he got a warrant?—I do not know.
 2806. He told you, did he not?—Never. I never spoke to him about a warrant in my life.
 2807. Did Priest White canvass with you?—Never. I never saw him canvass.
 2808. Priest Quinn?—I never saw Priest Quinn canvass.
 2809. You know this house in Mass-lane?—I do.
 2810. Very well?—Very well.
 2811. What do you suppose was paid for all this eating and drinking?—I cannot say.
 2812. You have not the slightest notion?—Not the slightest.
 2813. You are quite sure about that?—Yes.
 2814. Did you hear of it?—Of the house?
 2815. Yes; and the eating and drinking?—Yes, since the election.
 2816. At what time did you hear of it?—Not for seven or eight days after the election.
 2817. You never heard that they came direct from there to your office?—No.
 2818. Where did you imagine they came from?—In hatches from different parts of the town. In the different streets they collected together, and came in hatches.
 2819. Have you given Mr. Towneley your accounts of the expenses?—No.
 2820. Where are they?—They are at home in Sligo.
 2821. You have not brought them?—No; I did not expect to be examined at all.
 2822. Have you made out any account?—No; I have no objection to give it in round numbers; I have no objection to enter into my accounts.
 600. M 2 2823. Are

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2823. Are there any accounts in existence?—Certainly.

2824. There are?—Certainly.

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2825. Have you rendered any account to Mr. Towneley?—No; it is an open account.

2826. Has he paid all the expenses or not?—The election expenses?

2827. Yes.—Yes.

2828. The incidental expenses of the election?—Yes.

2829. Everything?—No; the mayor, as the returning officer, is not paid yet.

2830. How much is that?—I should say that he ought to get 50*l*.2831. Why have you not paid the mayor?—There is some difficulty about the law of the case. The law of the case entitles him only to 38*l*, and he will not take 38*l*, and he thinks he is entitled to 50*l*, which was the sum Mr. Somers gave him.2832. How have you spent the money?—I have no objection to enter into the account. There are my own fees, 100*l*; advertisements, 100*l*; I paid for printing 65*l*, and 20*l* for posting.2833. That is, 20*l* more?—Yes. Posting, 46*l*.2834. Do you mean about the town of Sligo?—I sent with four post-horses to Mr. Towneley, and with four post-horses to Sir Robert Gorebooth and the neighbouring gentry, and there was a bill of 46*l*.

2835. Sir Robert Gorebooth voted for Mr. Somers?—Yes; but he was canvassed for Towneley.

2836. You have not a scrap of paper containing any account?—No; but I will make out an account and hand it in. The 100*l* for advertisements which I mentioned is a mistake. My own fee, 100*l*; printing, 65*l*; printing, 20*l*; Mr. Verdon, 50*l*; Mr. Stonor, 50*l*; posting, 46*l*; posting, 20*l*.

2837. £700 you received from Mr. Towneley?—£650.

2838. What did you pay the mayor 50*l* for?—He is claiming 50*l*, and I think he is only entitled to 38*l*.2839. What have you spent; have you spent 650*l*?—No; I spent about 527*l* or 530*l*.

2840. You have got the other in hand?—Yes.

2841. Do you bank anywhere?—No.

2842. Have you got the money in a tin case?—I have.

2843. Do you mean that?—Yes.

2844. A portion of this 650*l*,—the actual money,—you have got in a tin case?—Safe in my house.

2845. In a tin case?—Yes.

2846. Have you got your own 100*l*?—Yes.2847. What is Mr. Stonor's 50*l* for?—£50, I think, he is entitled to as advising counsel, which I did not pay.2848. What have you paid Mr. Stonor 50*l* for?—I have paid him nothing.

2849. Then it is to be apportioned?—Yes.

2850. You are to pay Mr. Stonor 50*l*?—If he claims it.2851. Do you mean seriously, upon your oath, to state before this Committee that you are holding 50*l* for Mr. Stonor, as advising counsel of Mr. Towneley?—No.2852. What did you put it down for?—If he claims 50*l*.2853. What do you mean by putting down 50*l* for Mr. Stonor. Be a little cautious about this; do you mean to represent, upon your oath, that Mr. Stonor claims 50*l*?—No.

2854. Then strike it out?—Very well.

2855. Then according to that, you have got the money in your pocket?—Yes.

2856. Have you paid a farthing?—

2857. Committee.] Let us know what you have paid, and then let us know what the claims are upon you, and let us have them distinctly?—Those which I have paid are ticked off.

2858. Mr. James.] You have paid yourself 100*l*?—Yes.2859. Printing, 65*l*; to whom?—£65 to Verdon.2860. Does that include the 50*l*?—No.2861. You will swear you paid him 65*l* for printing, beyond the 50*l*?—Yes.

2862. Have you got his receipt?—Yes.

2863. Printing, 20*l*?—Yes, to Mr. Gilmora.

2864. Have you got his receipt?—Yes.

2865. Posting.

2865. Posting, 46*l.*?—Yes.
2866. Posting, 20*l.*?—Yes.
2867. What do you mean by 46*l.* for posting?—To Kilbride.
2868. What is the other 20*l.* posting?—The other 20*l.* should be 30*l.* to Gearn.
2869. Is Gearn paid?—Not altogether.
2870. Have you paid Gearn 30*l.*?—Yes.
2871. Explain what you mean by the posting?—Kilbride's account is altogether made up of a bill that he had against Mr. Towneley for posting, with four horses about the town, and going 20 miles and back to Boyle, and riding towards Enniskillen, and he furnished me with his account.
2872. You mean to say that you have paid that amount for Mr. Towneley, and that Mr. Towneley did not pay his own posting?—I paid it to Kilbride.
2873. What is it for?—Mr. Towneley's posting; Mr. Towneley's travelling expenses.
2874. *Committee.*] Fifty Irish miles?—I sent four horses to Boyle for him, that is 20 miles from Sligo and 20 miles back; he visited different gentlemen, and this is the posting bill.
2875. Mr. James.] Legal expenses, 100*l.*; how much have you paid of that?—I paid the agents only 6*l.* 10*s.* each, up to the present time.
2876. What agents?—The booth agents.
2877. What do you mean by legal expenses, 100*l.*, which you have ticked off as paid?—I did not pay it.
2878. You told me to deduct it as actually paid?—I am to strike out all about 6*l.* 10*s.*; under the Act I conceive they are not entitled to more than 6*l.* 10*s.*; there is some question about it.
2879. What have you actually paid of the 100*l.* which you have talked of as paid?—£. 32. 10*s.*
2880. Do you mean to represent that you have got in your possession 353*l.* 10*s.*?—I have.
2881. Exclusive of your own 100*l.*?—Yes.
2882. Have you taken the benefit of the Insolvent Act since the election?—Yes. Allow me to explain; I joined the Sligo and Shannon Railway; it was wound up under the Winding-up-Act, and I was sued for a sum of 60*l.*; I also put my name on a bill for a relative, who went to America, and I was made accountable for that; I was pressed by both these obligations, and I took the benefit of the Insolvent Act.
2883. Was that since the election?—Before the election.
2884. Was it not since the election?—No, before the election.
2885. How long before?—I should say four or five months before the election.
2886. You did not pay your creditors a dividend?—I paid all the debts I owed, myself.
2887. Do you mean to represent that there were any assets at all under your estate?—No.
2888. Then how could your creditors be paid?—Since then?
2889. Yes.—Other money has come into my hands.
2890. Have you paid your creditors since?—I have paid all I received consideration for; my detaining creditor was my landlord; I paid him in cash; I paid every debt I owed, myself, and that I received any consideration for.
2891. Do I understand you to state to this Committee that you have got of the money you received from Mr. Towneley 350*l.* 10*s.* in your possession?—Certainly.
2892. And you have had it for 11 months?—Certainly.
2893. You swear that?—I do.
2894. Why have you not paid the expenses?—Which expenses?
2895. Why have you not paid Mr. Stonor?—He did not claim it.
2896. Why have you not paid Mr. Verdon?—He and I are disputing about the amount.
2897. What, for 11 months?—Yes; he is claiming 50*l.*, which is the amount he got from Mr. Somers; I say that in law he is only entitled to 38*l.*, and Mr. Verdon is waiting until the issue of this petition, to see whether I will pay him.

M. Gable, Esq.
2 June 1853.

2898. You have got that money now, and have had that identical money in your possession ever since?—Yes.
2899. You swear that?—Yes.
2900. Where do you keep it?—In a safe in my bedroom.
2901. That you mean to represent to the Committee?—Yes.
2902. And you have not paid the bills?—What bills?
2903. Why have you not returned the balance to Mr. Towneley?—This petition is still going on, and he was threatened with a petition on the day of nomination, and threatened after his return.
2904. Do I understand that you have kept it in hand for the petition?—I have kept Mr. Towneley's account an open account.
2905. Do you mean to tell the Committee that it remained in your hands for the petition?—For any legal expenses that may be incurred.
2906. Have you had the bills for the election; have you paid all the claims of the election?—I paid all that I conceived were proper.
2907. Are Mr. Towneley's bills discharged, and have you got a balance of 353*l.* 10*s.* in a box in your bedroom?—If they were exactly discharged I should have a balance of not more than 110*l.*
2908. Are they subject to that?—They are subject to that.
2909. And you have never paid them up to this moment?—No.
2910. And you have got that money in your box in your bedroom?—Certainly.

[The Witness delivered in the following document:]

Fee	-	-	-	-	-	100	✓
Printing	-	-	-	-	-	65	✓
Printing	-	-	-	-	-	20	✓
Verdon	-	-	-	-	-	50	
Stonor	-	-	-	-	-	50	
Posting	-	-	-	-	-	45	✓
Posting	-	-	-	-	-	20	✓
261							
Legal expenses	-	-	-	-	-	100	✓
460							
Advertising placards	-	-	-	-	-	10	
470							
50							
450							
6 10							
6 10							
6 10							
6 10							
32 10							

2911. Committee.] What is the total amount of the claims upon you on account of the election of 1852 at this moment?—Mr. Verdon, 50*l.*; legal expenses about 70*l.*

2912. Let us know what they are?—There is 6*l.* 10*s.* to the booth agents.

2913. Booth clerks?—Yes.

2914. How much for the booth clerks?—*£*. 6. 10*s.* each.

2915. How many?—Five.

2916. What else?—Do you mean the undischarged items?

2917. I want to know what are the claims upon you at this moment?—Mr. Verdon, 50*l.* I have given.

2918. I want to know the whole of the claims upon you on account of the Sligo election which are unpaid at this moment?—There is an item which I forgot. On the day Mr. Towneley left Sligo there were at least 1,000 applications sent in to Mr. Towneley. Mr. Towneley sent all those applications to me to check them, and to see that no person who was an elector, or connected in any

any way with the election, got any money. I checked them all. Some of them were respectable people at one time, who had been reduced, and some were in very humble circumstances, and I paid 137*l.* after the election out of this sum of money. I had of Mr. Towneley after the election about 110*l.* I have in my box at present about 350*l.*

2919. Tell me the amount of the different claims which have been sent in?—I can only give a rough guess. Five, 13*l.* 10*s.*; 50*l.* for Mr. Verdon as returning officer; 9*l.* for posting, and 12*l.* for posting. That is all I can remember.

2920. Are those all the claims upon you?—All that I can recollect.

2921. You cannot say there are not others?—No.

2922. Do you believe there are others?—I believe there are.

2923. With reference to your belief, what others do you think there are?—I am sure there are more items.

2924. You say you believe there are more items; I want to know to what your belief is directed; what sort of claims?—I cannot recollect.

2925. Explain what this pile of claims was, sent in to you as Mr. Towneley was leaving Sligo?—A great number of poor people sent in applications, hoping that he would give them some relief after his return.

2926. You mean in charitable donations?—Yes.

2927. How many of these applications were there?—I really think there were from 800 to 1,000.

2928. Do you mean 800 to 1,000 claims on the candidate as begging-letters?—Yes.

2929. How many of those came from voters?—Not one.

2930. None from voters?—None.

2931. All from poor people, not voters?—Yes; they were piled to the height of this table.

2932. You looked over those on the part of Mr. Towneley to ascertain that there was no risk?—I looked over them for three days.

Re-examined by Mr. Slade.

2933. Did you pay them?—I paid away 137*l.*; I did not pay the entire.

2934. You say you have not brought any accounts?—No.

2935. Had you any idea when you left Sligo that you would be examined?—Not the smallest.

2936. You say you have been in the habit, and do now, keep your money in a box?—Yes.

2937. To the best of your recollection, is the sum which you have got there between 350*l.* and 400*l.*?—Yes.

2938. To the best of your recollection?—Yes.

2939. Is that sum of money available for the expenses of Mr. Towneley's election?—Yes.

2940. How much of that, do you think, belongs to yourself?—The balance from 110*l.*

2941. Then do you think you have no more claims outstanding, except Mr. Verdon and Mr. Stonor?—Yes; I do not know any others, at present.

2942. Did you pay Mr. Stonor's lodging?—£ 50.

2943. Whom did you pay that to?—Doherty. I am sure if I had an hour to turn my accounts over in my mind, I should satisfy the Committee that what I am stating is quite correct.

2944. Was there any posting to the bishop, or with the bishop, to Boyle?—The bishop posted into Sligo from Boyle.

2945. Did you pay for that?—I think that is included in Kilbride's account.

2946. The "placards," you say, "10*l.*"?—I put them down at 10*l.*, but it may be 8*l.* or 12*l.*

2947. You have not paid it?—Yes; I paid that in 2*l.*, and 3*l.*, and 1*l.*; I had different persons employed, announcing the state of the poll, and putting up placards at the corners of the streets and I paid those persons. I only put it at a rough guess at 10*l.*

2948. Previous to the election you had the misfortune to get into difficulties?—Yes.

2949. Having put your name to a bill for a relative?—Yes.

2950. Was that the origin of it?—Yes; for Mr. John Hart; it was long previous to the election.

M. Gethin, Esq.

2 June 1853.

2951. What got you into difficulties?—I put my name to a bill; I was pressed for payment of the money, and I had no money to pay with; I thought the best way was to take the benefit of the Insolvent Act, and afterwards pay my just debts.

2952. Did you, out of your own earnings, pay all you were morally liable to pay?—Twenty shillings in the pound.

2953. This house in Mass-lane, you say, with the exception of dining there once, when it was in the occupation of Dr. Phillipps, you never set your foot in. Is that the truth, upon your oath?—Certainly. It is alleged that I was there that night; I was not there. Some witnesses were brought over for other purposes from Ireland, and I have no doubt that five or six of them will corroborate my testimony on the point. I can name them.

Examined by the Committee.

2954. Have you had any claims upon you on account of the expenditure for the provisions consumed in Mass-lane?—Never.

2955. None at all?—Never.

2956. Have you had any claims of a similar character?—No.

2957. None whatever?—None. Mr. Towneley stated that he gave every publicity to a statement that he would not be a party to anything illegal.

2958. Did I understand you to say, that you were no party to sending away Priest White?—I was not at all. I am quite sure that if I had half an hour I would show you proper accounts.

[Adjourned till Twelve o'clock To-morrow.]

Veneris, 3^a die Junii, 1853.

MEMBERS PRESENT.

Right Hon. Sir Edward Parnes.
Mr. Divett.
Mr. Portman.

Mr. Hindley.
Mr. Evelyn.

E. DIVETT, Esq. IN THE CHAIR.

2 June 1853.

Mr. Slade was heard to sum up the evidence on the part of the Sitting Member.

Mr. Edwin James was heard in reply.

Counsel and Parties were ordered to withdraw.

The Committee deliberated.

Counsel and Parties were called in, and informed by the Chairman that the Committee had come to the following Resolutions:

1st. "That Charles Towneley, Esq. was not duly elected a Burgess to serve in the present Parliament for the Borough of Sligo.

2. "That the said election was a void election.

3. "That the said Charles Towneley, Esq. was, by his agents, guilty of bribery and treating at the last election for the Borough of Sligo.

4. "That it was not proved to this Committee that the said acts of bribery and treating were known to or sanctioned by the said Charles Towneley.

5. "That

3 June 1855.

5. "That it was proved that Jeremiah Joyce O'Donovan, an Alderman of the Borough of Sligo, was bribed by the promise of payment of 103 £, being a portion of an outstanding election account, to forbear giving his vote, which he promised to Mr. Somers, and, in consequence, absented himself during the election.

6. "That the influence of the Roman-catholic priests was exercised in a manner inconsistent with their duty as ministers of religion, and destructive of freedom of choice on the part of the voters."

The *Chairman* further stated, that with respect to Mr. Towneley the Committee deeply regretted that a gentleman of such high respectability and character should have put himself into such bad hands.

Mr. *Slade* then stated he was entitled to go into the case of recrimination.

Mr. *James* stated that the case of recrimination could not be gone into after the decision of the Committee; that the other side had taken their chance of the result being in their favour, and now that it had turned out otherwise, they, for the first time, intimate their intention of going into recrimination.

The *Chairman* stated that all he could do was to go to the Speaker and his Counsel, and consult them upon the point, which he would do at once.

The *Chairman* then retired for a short time, and on his return inquired of Mr. *Slade* if he could cite any precedent upon this particular point, namely, where the case had been concluded, and the decision of the Committee had been given, the parties were allowed to go into the case of recrimination.

Mr. *Huddleston* stated that this very question had been decided by the Peterborough Election Committee, where it was proposed, on behalf of the Sitting Member, in the cross-examination of witnesses, to recriminate on behalf of the petitioners.

The *Chairman* inquired whether Mr. *Huddleston* could cite a case where it had been done after the verdict of the Committee; that in the Peterborough Election Committee the decision had not yet been given, but where the verdict of the Committee was given, he always considered that the matter was concluded.

Mr. *Edwin James* stated that it had always been so considered, and that in the Peterborough Election Committee distinct notice had been given.

Mr. *Huddleston* stated that in the Peterborough Election Committee it had been intimated by the Chairman that the proper time was after the case had been concluded.

The *Chairman* stated that if Mr. *Huddleston* could cite an authority in support of his view of the case, he would be prepared to consider it.

Mr. *Huddleston* stated that he was prepared to say there was no case on record in which the Committee had refused to hear recriminating evidence after the decision.

After some further discussion, Counsel and Parties were ordered to withdraw.

After a short time, Counsel and Parties were again called in and informed by the *Chairman* that, to obviate any possible mistake in this matter, they would adjourn till 11 o'clock to-morrow.

[Adjourned till To-morrow, at Eleven o'clock.]

Sabbati, 4^a die Junii, 1853.

MEMBERS PRESENT.

The Right Hon. Sir Edward Filer,
Mr. Divett.
Mr. Hindley.

Mr. Portman.
Mr. Evelyn.

E. DIVETT, Esq., IN THE CHAIR.

4 June 1853.

THE *Chairman* stated that the Committee were prepared to hear any objections that might be urged by the Counsel for the Petitioners against the application made on behalf of the Sitting Member to give recriminatory evidence.

Mr. *Slade* stated that he had considered the matter, and felt that the rights of the party for whom he appeared would remain precisely the same with respect to Mr. Somers coming forward upon any future occasion whether he took the opinion of this Committee or not; that he therefore left the Committee, and, though not exactly satisfied with its decision, he felt extremely grateful for the attention which it had given to the case.

The *Chairman* stated that he would report the Resolutions to which the Committee had come to The House on Monday next.

SLIGO ELECTION.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

OF THE

SLIGO BOROUGH ELECTION
PETITION;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE.

(1853.)

*Ordered, by The House of Commons, to be Printed,
10 June 1853.*

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I N D E X

TO THE

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

SLIGO ELECTION PETITION.

*Ordered, by The House of Commons, to be Printed,
10 June 1853.*

I N D E X.

[N.B.—In this Index the *Figures* following the Names of the Witnesses refer to the Questions of the Evidence, and those following *Ex. p.* to Page thereof.]

ABDUCTION of Voters. On the Monday night previous to the election witness was fetched from his home by Priest Quinn and Mr. Stonor, and taken to Sligo, where he was lodged until the polling day; this was to prevent his being taken away by Mr. Somers's party; witness remained at Sligo quite willingly, and voted for Mr. Towneley of his own accord, *O'Connor* 570-765 — Circumstance of witness having voluntarily accompanied the Rev. Mr. White to a house in Mass-lane, where some of Mr. Towneley's voters were assembled; his wife was anxious that he should go there, as she had heard that otherwise he and some others would have been forcibly taken away by the party of Mr. Somers, *Draw* 1886-1924.

Accounts. Non-production by witness (as agent for Towneley), of his accounts of the expenses; he did not expect to be examined, *Gethin* 2819-2824. 2934. 2935-2958.

Agents. Witness acted as agent to Mr. Somers at the election of 1852, *Graham* 114, 115 — Evidence to the effect that Mr. Stonor and Mr. Michael Gethin were the agents for Mr. Towneley, *ib.* 116-123. 1925 *et seq.*—Witness was not engaged as agent for Mr. Somers, but rendered him all the service in his power, *McTernan* 414-422 — Implicit directions given by witness to Mr. Gethin and others to dis-countenance all illegal Acts, *Townley* 2286 — Witness was instructed by Mr. Towneley to guard against any illegalities, and to be prudent in the general conduct of the election, *Gethin* 2643-2645 — Sum of 110*l.* advanced to, as having been paid to witness as retained agent on behalf of Mr. Towneley, *ib.* 2836. 2910.

See also *Stonor, Mr.* *Townley, Charles.* *Walker, Mr.*

Allen, William. (Analysis of his Evidence.)—Late town-clerk for Sligo, 2215, 2216 — Peaceable character of the election of 1852; there was no violence exercised towards the persons or property of any of the voters, 2217-2224. 2251 — Active part taken by witness on behalf of Mr. Towneley at the late and at former elections; denial of the charge that on a former occasion he acted improperly with respect to the poll-books of which he had the care, 2225-2255.

Altar Denunciations. Particulars as to the Rev. Dr. Philipps having denounced witness from the altar of the chapel of Sligo, and consigned all the electors who supported him to hell, and all who supported Mr. Towneley to heaven, *J. P. Somers* 269-279 — Denunciation of Mr. Somers's public conduct by the Rev. Mr. Philipps from the altar; nothing was said against those who might support him at the election, *Peasey* 1747-1757 — Remark of the Rev. Mr. Philipps in his chapel on the Sunday before the election with respect to the contending parties in the contest, *Brennan* 1878-1881 — Witness was not present when the Rev. Mr. Philipps denounced from the altar Mr. Somers's public character, nor is he aware that he used any undue influence at the election, *Townley* 2520-2529. 2596-2599. 2637, 2638.

Assaults. Particulars relative to witness and his friends having been impeded in their canvass; assault committed on them by an armed mob, employed by Mr. Towneley, in Market-street, *J. P. Somers* 304-313. 328-337 — Further reference to the assaults committed by the bludgeon-men of Mr. Towneley on witness's friends, one of whom they killed, *ib.* 350 — Particulars as to a riot in Market-street by a party of bludgeon-men, in which witness and other friends of Mr. Somers, who were canvassing, were violently assaulted, *McTernan* 383-390 — Violent treatment of witness by the mob, on his attempting to interfere when Somers, the tailor, was being dragged to the poll to vote for Mr. Towneley, *J. P. Somers* 2036, 2037.

Assessor (Polling-Booths). Appointment of witness as assessor by the mayor; at an official interview between them, Mr. Stonor, Mr. Towneley's counsel, happened to be present, but did not communicate with them in any way about the arrangements for the election, *Coffey* 2161-2184.

B.

Tagging Letters. Immense number of charitable applications to Mr. Towneley after the election from non-voters; 137 l. were paid away on this score, *Gazette* 2918-2933.

Bagley, Patrick. This voter promised to vote for Mr. Somers, but polled for Mr. Towneley, *Graham* 1946-1948.

Bludgeon-men. Proposal made to witness for the employment of bludgeon-men at the last election, which he rejected, in consequence of which they went over to Mr. Towneley, *J. P. Somers* 338-350.—See also *Assaults*.

Breman, Edward. (Analysis of his Evidence).—Circumstance of John Haggarty having removed a piano from the house of Patrick O'Brien on the day before the polling; witness cannot say what it was worth, 1864-1872.—Witness saw some tea and sugar, but neither meat nor drink, taken to the house in Mass-lane, where some of Mr. Towneley's voters were, 1873-1877.—Remark of the Rev. Mr. Phillips in his chapel on the Sunday before the election, with respect to the contending parties in the contest, 1878-1881.

Brennan, James. This voter promised to support Mr. Somers, but afterwards refused to do so, *Graham* 1940-1945.

BRIBERY:

1. Generally.
2. *Jeremiah Joyce O'Donovan.*

1. Generally:

Particulars as to witness having been canvassed for his vote by Thomas Smith, who promised to return him a receipt for three half years' rent due by him, provided he would vote for Mr. Somers; witness acquainted Mr. Towneley's party with this attempt to bribe him, *O'Connor* 778-811.—Circumstance of the Rev. Mr. White having told witness that he would be compensated if he voted for Mr. Towneley, *M. Somers* 831-840, 1175-1184, 1195.—Promise given to witness by certain parties that he would be compensated for voting for Mr. Towneley; the sum of 20 l. or 23 l. was named by John Burns and James Ward, *ib.* 1175-1195.—On Monday, before the election, Tom Ward offered witness 17 l. to vote for Mr. Towneley, which he declined to do; this promise did not influence his vote, *Causey* 1479-1491, 1687-1709.

Resolutions of the Committee, viz., that Charles Towneley was, by his agents, guilty of bribery, *Ex. p.* 96.—That it was not proved that the said acts of bribery were known to or sanctioned by the said C. Towneley, *ib.*

2. *Jeremiah Joyce O'Donovan:*

During the election of 1848, witness expended a large sum of money for Mr. Towneley, of which a balance of 103 l. still remains due, *O'Donovan* 70-81.—Witness has made repeated applications to Mr. Towneley, and others, for the amount due to him; in May 1852, he wrote to Mr. Towneley; reply received by him produced and read, *ib.* 82-99.—Letter from Mr. H. Stenor to witness, dated 3 August 1848, with reference to the expenditure incurred by him at the election of 1848, *ib.* 107.—Letter from Mr. Towneley to witness, dated 26 July 1851, in reply to witness's application for the balance of his account, *ib.* 161, 162.—Evidence with respect to witness having absented himself from Sligo at the time of the election, and abstained from voting for Mr. Somers in consequence of his having been promised by Mr. Towneley's friends the payment of the balance of his old account, provided he would not vote against Mr. Towneley, *ib.* 198-227, 246-261.—Several of Mr. Towneley's friends sympathized with witness, and said they would not vote for him until witness was paid the balance of his account, *ib.* 220-227, 234-240.

Promise made to witness by Mr. O'Donovan of his vote at the election, *J. P. Somers* 298, 299.—Circumstance of Mr. Stenor having paid 100 l. to Mr. Alderman O'Donovan, out of witness's funds, on account of a former claim against him; explanation on this point, *Towneley* 2366-2387, 2622-2629.—Resolution of the Committee that J. J. O'Donovan, alderman of Sligo, was bribed by the promise of payment of 103 l., a portion of an outstanding election account, to forbear giving his vote, which he promised to Mr. Somers; and in consequence absented himself during the election, *Ex. p.* 97.

Brown, Dr. Failure of the attempt to serve Dr. Brown with the warrant, *Graham* 1224-1226.

Burtos, Fitzwilliam. See *Landlords*.

C.

Canvass of Electors. Mr. Towneley was invariably accompanied by Mr. Stonor and the Rev. Mr. Philipps during his canvass, *J. P. Somers* 309, 303.—Witness frequently saw Mr. Towneley out canvassing, and he was always accompanied by Mr. Stonor and the Roman Catholic priests, generally, *M. Ternan* 364-371.—Manner in which the canvass of witness was conducted, *Towneley* 2287-2291. 2459-2473.

See also *Assaults*.

Car-hire. During the last election witness let cars to Mr. Towneley's party; these were paid for by Mr. Gethin; witness never saw Mr. Stonor on the subject, *Kilbride* 128-150.

Cawley, James. (Analysis of his Evidence.)—Voted for Mr. Towneley; had previously promised to support Mr. Somers, 1475-1477.—On Monday before the election Tom Ward offered witness 17 l. to vote for Mr. Towneley, which he declined to do; this promise did not influence his vote, 1478-1491. 1687-1709.—Particulars as to witness having been subsequently made drunk by Ward and others, and taken to different houses, where he and other voters were detained and treated, and whence he was brought on the polling morning to vote for Mr. Towneley, 1492, *et seq.*—Mr. Gethin was at the house in Mass-lane, where witness spent either the Monday or Tuesday night, 1517-1519. 1560-1617. 1660.—The fear of violent treatment alone induced witness to vote for Mr. Towneley; he always supported Mr. Somers at former elections, 1536-1538. 1646-1659. 1685-1732.—Denial by witness that he ever actually promised Mr. Towneley his support, or that he signed any requisition to him to come forward as a candidate, 1618-1645. 1676-1682.—Witness has not had any communication with Captain Barrett in reference to the election, nor has he been promised any work by him, 1669-1675.

Chrystal, John. This voter polled for Mr. Towneley, though he promised to support Mr. Somers, *Graham* 1951, 1952.

Coffey, James. (Analysis of his Evidence.)—Barrister at law; was assessor at the Sligo election, 2101-2105.—There were three polling-booths, all under the same building, and the voters had every opportunity of going to the poll without obstruction, and were not interfered with in any way, 2106-2116. 2128-2142.—Slight interruption to the poll on the occasion of an altercation between Mr. Somers and the mayor, the former having complained of personal ill-treatment from the mob, and of want of opportunity to poll his voters, 2117-2120.—Circumstance of witness having taken the vote of a man about, whom there was a contention between both parties, the one declaring that he was not a free agent in the matter, 2121-2127.

The Rev. Mr. Philipps, Roman Catholic priest, was directed by witness to withdraw from too close a proximity to the voters on polling, as the agents of Mr. Somers stated that he influenced their votes, 2143-2154. 2160.—Witness has no recollection of the presence of the Rev. Mr. O'Gara at the booths, 2155-2158.—Appointment of witness as assessor by the mayor; at an official interview between them, Mr. Stonor, Mr. Towneley's counsel, happened to be present, but did not communicate with them in any way about the arrangements for the election, 2161-2184.—Active part taken by Mr. Stonor on the polling day; there was no undue interference on his part on the declaration of the poll, 2185-2194.

Compulsory Voting. Particulars as to witness having been taken by the Rev. Mr. White to a certain house in Mass-lane, where several of Mr. Towneley's voters were being treated, and where he was detained against his will on the night before the election, and afterwards brought from thence on the polling morning with several others to vote for Mr. Towneley, *M. Somers* 841-1032. 1099-1160. 1197-1200.—Explanation as to witness having signed a requisition to Mr. Towneley to come forward as a candidate, *ib.* 1033-1043.—Reference to the voter Michael Somers having been forcibly polled by Mr. Towneley's party, *Graham* 1938-1935.—See also *Intimidation*.

Conduct of the Election. Peaceable character of the election; there was no violence exercised towards the persons or property of any of the voters, *Allen* 2217-2224. 2251.

See also *Obstructions to Polling*.

Coyne, John. Promise of Mr. J. Coyne to support Mr. Somers, though he polled for Mr. Towneley, *Graham* 1949, 1950.

D.

Drum, Bryan. (Analysis of his Evidence.)—Voted for Mr. Towneley, 1882-1885.—Circumstance of witness having voluntarily accompanied the Rev. Mr. White to a house in Mass-lane, where some of Mr. Towneley's voters were assembled; his wife was anxious that he should go there, as she had heard that otherwise he and some others would have been forcibly taken away by the party of Mr. Somers, 1886-1924.

E.

Election of 1847. At the general election in 1847 the petitioner, Mr. Somers, was returned for the borough, *O'Donovan* 30—After the election a petition was got up against his return, and he was unseated in respect of qualification, *ib.* 31-50.

Elections of 1848. On Mr. Somers being presented in April 1848, Mr. Towneley was introduced to the borough by Mr. Stonor, became a candidate, and was returned at the election, *O'Donovan* 51-60—A petition was presented against the return of Mr. Towneley, which came on for trial in the summer of 1848, when Mr. Towneley was unseated, and the election declared void on the ground of treating, *ib.* 60-62—In July 1848 a new writ was issued for the borough, and an election took place at which Mr. Somers was returned, *ib.* 63-68—Active part taken by Mr. Tighe and Mr. Hart in support of Mr. Towneley at the contests for the borough in 1848; witness was also an active supporter of his, *ib.* 67-69—At the election in 1848 witness was professionally engaged as agent for Mr. Towneley, *M'Ternan* 423-429—Witness was returned as member at the election of 1848, but unseated on petition, *Towneley* 2258, 2259.—See also *Bribery*, 2.

Expenses of the Election. The entire expenses of witness's election were about 600*l.*; manner in which this sum was disbursed, *Towneley* 2301-2303, 2474-2498—Particulars with respect to Mr. Towneley's election expenses as defrayed by witness; items of which composed; he has still a balance in hand of about 100*l.* out of 650*l.*, the entire amount received from Mr. Towneley, *Guthrie* 2656-2659, 2819-2881, 2891-2947.

See also *Accounts. Begging Letters. Car Hire. Posting Expenses. Printing Expenses. Stonor, Mr. Verdon, Mr.*

F.

Feeney, Matthew. (Analysis of his Evidence.)—Deputy-collector of county cess for Sligo, 1733—Has always voted for Mr. Somers except at the last election, when the fear of violence induced him to remain neutral, 1734 *et seq.*—Active part taken by the Roman-catholic priests on behalf of Mr. Towneley's return, 1742-1863—Particulars with respect to the non-voting of witness; the interference of the Rev. Messrs. Philipps and O'Gara on the polling-day, and some previous damage committed on his property by the mob, deterred him from supporting Mr. Somers, 1758-1863.

Fitzsimon, Christopher. (Analysis of his Evidence.)—Produces the poll books for the Sligo election of 1852; remarks to the effect that these were received at the Hanaper-office, Dublin, in the usual way, 2-28.

G.

Guthrie, Michael. (Analysis of his Evidence.)—Agent for Mr. Towneley at the election of 1852; was also one of his agents in 1848; 2639-2642—Was instructed by Mr. Towneley, with reference to the election of 1852, to guard against any illegalities, and to be prudent in the general conduct of the election, 2643-2645—Denial of certain statements that witness was in an occupied house in Mass-lane, where Mr. Towneley's voters assembled at the time of the election; he has not been in it for the last two years, 2646-2648, 2553—Evidence to the effect that witness is not cognizant of any arrangement for the use of this house for Mr. Towneley's voters; he has never paid any thing for the use of it, 2649-2655, 2660-2671—Particulars with respect to Mr. Towneley's election expenses, as defrayed by witness; items of which composed; he has still a balance in hand of about 100*l.* out of 650*l.*, the entire amount received from Mr. Towneley, 2656-2659, 2819-2881, 2891-2947—Witness's office was used as a tally-room for the voters on going to the poll, 2672-2679—He does not remember having seen Michael Somers at his office early in the morning, before he had polled, 2680-2700.

Part taken by Mr. Stonor as counsel to Mr. Towneley, previous to and during the election; witness was not retained by him, 2701-2702—Witness never accompanied the Rev. Mr. Philipps to the house of Patrick O'Dowd, 2703-2705—Examination relative to the non-attendance of the Rev. Mr. White before the Committee; possible cause of his absence; witness is no party to it, 2773-2806, 2958—Nothing has ever been paid by witness for the treating of Mr. Towneley's voters in Mass-lane, nor has any claim been made upon him for the same, 2809-2818, 2954-2957—Non-production by witness of his accounts of the expenses; he did not expect to be examined, 2819-2824, 2934, 2935, 2958—Circumstance of witness having taken the benefit of the Insolvent Act; explanation on this point, 2880-2890, 2948-2952.

Guthrie, Mr. See *Printing Expenses.*

Graham, Robert Peyton. (Analysis of his Evidence.)—Solicitor at Sligo, 113—Acted as agent for Mr. Somers at the general election, 114, 115—Evidence to the effect that Mr. Stonor and Mr. Michael Gethin were the agents for Mr. Towneley, 116-123—Witness frequently saw Mr. Stonor out canvassing with Mr. Towneley, 117, 118, 123.

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[Third Examination.]—There can be no doubt as to the legal agency of Mr. Gethin on behalf of Mr. Towneley, 1225-1231, 1236-1238—Reference to the voter Michael Somers having been forcibly polled by Mr. Towneley's party, 1232-1235—Enumeration of several voters who promised to support Mr. Somers, but voted for Mr. Towneley; influence exercised over some of them by the priests, &c., 1239-1277, 2006-2025—The tenants of Mr. Fitzwilliam Barton, or of other landlords, were not unduly influenced about their votes for Mr. Somers, 1277-1299, 2007-2010, 2015, 2016—It was rumoured that the signatures of several of Mr. Somers's party had been forged by boys to the requisition to Mr. Towneley, 2000-2005.

H.

Henry, —. See *Treating*.

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I.

Illegal Practices. See *Agents.* *Bribery.* *Compulsory Voting.* *Intimidation.* *Treating.*

INTIMIDATION:

1. *Generally.*
2. *Michael Somers.*
3. *Patrick O'Dowd.*
4. *James Cowley.*
5. *Matthew Feeney.*

1. *Generally:*

Mention of several voters who promised to support witness; it was stated that some of them were apprehensive of violence from Mr. Somers's party, *Towneley* 2304-2315—Resolution of the Committee, that the influence of the Roman-catholic priests on behalf of Mr. Towneley was exercised in a manner inconsistent with their duty as ministers of religion, and destructive of freedom of choice on the part of the voters, *Ex. p. 97*.

2. *Michael Somers:*

Witness promised to vote for Mr. Somers, but eventually polled for Mr. Towneley, *M. Somers* 817, 818, 821-824—The fear of violence being committed on witness and his property was the main cause in inducing him to support Mr. Towneley, *ib.* 819, 820, 1008-1049, 1165-1174—Mr. Towneley and some of his party canvassed witness, but he declined to vote for him, *ib.* 825-831—Witness denies having stated that he was neither intimidated, bribed, nor treated in voting for Mr. Towneley, *ib.* 1044-1049.

3. *Patrick O'Dowd:*

On the day before the election witness was taken by some of Mr. Towneley's party to a house in Mass-lane, where several of his voters were assembled, *O'Dowd* 1257-1269—After he had been there about three hours he contrived to leave, though with much difficulty, *ib.* 1270-1288—Particulars as to a great number of persons, accompanied by the Rev. Mr. Philipps and Mr. Gethin, having come a second time for witness, and compelled him to return to Mass-lane, where he was detained throughout the night, *ib.* 1289-1336, 1355-1406, 1472-1474—In the morning witness was conducted to the poll by several men, and voted for Mr. Towneley through fear of being killed, *ib.* 1337-1384, 1407-1412, 1452-1471—He had previously promised to support Mr. Somers, and fully intended to have done so, *ib.* 1348-1354—Expectation of witness after the election to receive some money for having polled for Mr. Towneley; he asked Mr. Alderman Williams and Mr. Gethin for some, but did not receive any; his vote was not influenced by any hope at the time of being subsequently rewarded, *ib.* 1413-1471.

4. *James*

INTIMIDATION—continued.

4. *James Casley*:

Witness voted for Mr. Towneley; had previously promised to support Mr. Somers, *Casley* 1475-1477.—The fear of violent treatment alone induced witness to vote for Mr. Towneley, he has always supported Mr. Somers at former elections, *ib.* 1536-1538, 1646-1650, 1685-1732.—Denial by witness that he ever actually promised Mr. Towneley his support, or that he signed any requisition to him to come forward as a candidate, *ib.* 1618-1645, 1676-1682.—Witness has not had any communication with Captain Barrett in reference to the election, nor has he been promised any work by him, *ib.* 1660-1675.

5. *Matthew Feeney*:

Witness has always voted for Mr. Somers except at the last election, when the fear of violence induced him to remain neutral, *Feeney* 1734, *et seq.*—Particulars with respect to the non-voting of witness; the interference of the Rev. Messrs. Philipps and O'Gara on the polling day; and some previous damage committed on his property by the mob, deterred him from supporting Mr. Somers, *ib.* 1758-1863.

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K.

Kilbride, Martin. (Analysis of his Evidence.)—Witness frequently saw Mr. Stonor at Sligo during the late election, 124-127, 141-143.—During the last election witness let cars to Mr. Towneley's party; these were paid for by Mr. Gethin; witness never saw Mr. Stonor on the subject, 128-160.

L.

Landlords. The tenants of Mr. Fitzwilliam Burton, or of other landlords, were not unduly influenced about voting for Mr. Somers, *Graham* 1977-1999, 2007-2010, 2015, 2016.

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M.

McDonough, Frank. Circumstance of this voter having been taken by the Rev. Mr. Philipps to poll for Mr. Towneley, though he had promised to support Mr. Somers, *Graham* 1973-1977, 2017-2021.

McDonough, William. This voter promised to support Mr. Somers, but voted for Mr. Towneley, *Graham* 1961, 1962.

McLane, Martin. Frequent promises of McLane to support Mr. Somers, though he ultimately voted for Mr. Towneley, *Graham* 1958-1960.

McTearns, Lawrence. (Analysis of his Evidence.)—Solicitor at Sligo; voter for the borough, 361-363.—Witness frequently saw Mr. Towneley out canvassing, and he was invariably accompanied by Mr. Stonor and the Roman-catholic priests, 364-371.—Witness proposed Mr. Somers on the hustings, but was prevented from making himself heard by the great uproar and shouting which was commenced on a signal from the Rev. Mr. Philipps, 374-380.—Particulars as to a riot in Market-street by a party of bludgeon-men, in which witness and other friends of Mr. Somers, who were canvassing, were violently assaulted, 383-390.—Mr. Gethin acted as conducting agent for Mr. Towneley, 391-395.—Active part taken by the priests in getting the voters up to the poll and otherwise, in support of Mr. Towneley, 397-413.—Witness was not engaged as agent for Mr. Somers, but he rendered him all the service in his power, 414-422.—At the election in 1848 witness was professionally engaged as agent for Mr. Towneley, 423-429.

Mass Love. See *Abduction of Voters.* *Compulsory Voting.* *Intimidation*, 3, *Treating.*

Mayor of Sligo. See *Hastings Tickets.* *Nomination of Candidates.* *Press, The*
(*Sligo*). *Verdon, Mr.*

N.

Naylor, James Richard. (Analysis of his Evidence.)—Produces the writ, precept, and return of the borough of Sligo for the general election of 1852; 1.

Nomination of Candidates. Circumstances under which witness proposed the vote of thanks to the mayor for his impartial conduct in the chair, although he is a bitter opponent of witness, *J. P. Somers* 325-327.

O.

O'Brien, Patrick. (Analysis of his Evidence.)—Voter for the borough of Sligo, 503—Witness never promised to vote for Mr. Somers at the last election, 504-506—He was never beaten and abused in his house by Priest Phillips at the time of the election; nor was his wife assaulted by the crowd, 507-524.

O'Brien, Winifred. (Analysis of her Evidence.)—Wife of Patrick O'Brien, broker in Sligo, 430—Particulars relative to Priest Phillips and others coming to canvass witness's husband for his vote for Mr. Towneley, a few days before the election; witness is not aware of what took place between them on this occasion, 431-439—Witness never knew of her husband being beaten by a crowd during the election; she herself was never assaulted, 470-502.

Obstructions to Polling. There were three polling booths, all under the same building, and the voters had every opportunity of going to the poll without obstruction, and were not interfered with in any way, *Coffey* 2106-2116. 2128-2142—Slight interruption to the poll on the occasion of an altercation between Mr. Somers and the mayor, the former having complained of personal ill-treatment from the mob, and of want of opportunity to poll his voters, *ib.* 2117-2120—Circumstance of witness having taken the vote of a man about whom there was a contention between both parties, the one declaring he was not a free agent in the matter, *ib.* 2121-2127—On the polling day there was a slight interruption at the polling booths for five or ten minutes, *Towneley* 2295-2297—Mr. Somers was frequently at the booths, and spoke to the voters without being obstructed, *ib.* 2298-2300.

O'Connor, Thomas. (Analysis of his Evidence.)—Voter for the borough of Sligo, 525, 526—On the Saturday before the election, witness was canvassed for his vote by Priest Phillips, whom witness told him he should vote on the same side as that of the clergy, 527-541. 766-769—Witness denies having told Priest Phillips he intended voting for Mr. Somers, and that the priest dared him to do so on the risk of destruction of life and property, and threatened to denounce him from the altar; if witness made any such statement to Mr. Graham it was incorrect, 542-569. 770-775—On the Monday night previous to the election, witness was fetched from home by Priest Quinn and Mr. Stonor, and taken to Sligo, where he was lodged until the polling day; this was to prevent his being taken away by Mr. Somers' party; witness remained at Sligo quite willingly, and polled for Mr. Towneley of his own accord, 570-765—Particulars as to witness having been canvassed for his vote by Thomas Smith, who promised to obtain him a receipt for the three half years' rent due by him, provided he would vote for Mr. Somers; witness acquiesced Mr. Towneley's party with this attempt to bribe him, 778-811.

O'Donovan, Jeremiah Joyce. (Analysis of his Evidence.)—Alderman of Sligo, 29—At the general election in 1847, the petitioner, Mr. Somers, was returned for the borough, 30—After the election, a petition was got up against the return of Mr. Somers, and he was unseated in respect of qualification, 31-50—On Mr. Somers being unseated in April 1848, Mr. Towneley was introduced to the borough by Mr. Stonor; became a candidate, and was returned at the election, 51-60—A petition was presented against the return of Mr. Towneley, which came on for trial in the summer of 1848, when he was unseated and the election declared void, on the ground of treating, 60-62—In July 1848 a new writ was issued for the borough, and an election took place, at which Mr. Somers was returned, 63-68—Active part taken by Mr. Tighe and Mr. Hart, in support of Mr. Towneley, at the contests for the borough in 1848; witness was also an active supporter, 67-69.

During the election of 1848 witness expended a large sum of money for Mr. Towneley, of which a balance of 103*l.* still remains due, 70-81—Witness has made repeated applications to Mr. Towneley and others for the amount due to him; in May 1852 witness wrote to Mr. Towneley, reply received by him produced and read, 82-99—In the spring of 1852, when a dissolution was expected, Mr. Stonor was at Sligo addressing the people, and advocating Mr. Towneley's interest, and thus preparing the way for him, 100-107—Letter from Mr. H. Stonor to witness, dated 3 August 1848, with reference to the expenditure incurred by witness on behalf of Mr. Towneley at the April election of 1848; 107—Active part taken by Mr. Verdon at the election of 1848, in support of Mr. Towneley, 108-112.

[Second

Report, 1852-53—continued.

O'Donovan, Jeremiah Joyce. (Analysis of his Evidence)—continued.

[Second Examination.]—Letter from Mr. Towneley, dated 26 July 1851, in reply to witness's application for the balance of his account, 161, 162.

[Third Examination.]—Particulars relative to the requisition got up from a number of the electors to Mr. Towneley to come forward as a candidate at the last election; witness was solicited by Mr. Verdon to sign the requisition, 191-194.—Active part taken by Mr. Verdon in the canvass, and otherwise in support of Mr. Towneley, 195-197. 228-233. 241-245.—Evidence with respect to witness having absented himself from Sligo at the time of the election, and abstained from voting for Mr. Somers in consequence of his having been promised by Mr. Towneley's friends the payment of the balance of his old account, provided he would not vote against Mr. Towneley, 198-227. 246-261.—Several of Mr. Towneley's friends sympathised with witness, and said they would not vote for him until witness was paid the balance of his account, 220-227. 234-240.

O'Donovan, J. J. Resolution of the Committee that it was proved that Alderman J. J. O'Donovan was bribed by the promise of payment of 103 l., a portion of an outstanding election account, to forbear giving his vote, which he promised to Mr. Somers, and in consequence absented himself from the election, *Eu. p.* 97.

O'Dowd, Patrick. (Analysis of his Evidence.)—On the day before the election witness was taken by some of Mr. Towneley's party to a house in Mass-lane, where several of his voters were assembled, 1257-1269.—After he had been there about three hours he contrived to leave though with much difficulty, 1270-1288.—Particulars as to a great number of persons, accompanied by the Rev. Mr. Philipps and Mr. Gethin, having come a second time for witness and compelled him to return to Mass-lane, where he was detained throughout the night, 1289-1336. 1365-1406. 1472-1474.—In the morning witness was conducted to the poll by several men, and voted for Mr. Towneley through fear of being killed, 1337-1364. 1407-1412. 1452-1471.—He had previously promised to support Mr. Somers, and fully intended to have done so, 1348-1364.—Expectation of witness after the election to receive some money for having polled for Mr. Towneley; he asked Mr. Alderman Williams and Mr. Gethin for some, but did not receive any; his vote was not influenced by any hope at the time of being subsequently rewarded, 1413-1471.

O'Gara, Rev. Mr. Abusive language bestowed on witness by the Rev. Mr. O'Gara on the polling day, *J. P. Somers* 292-298.—Interference of this priest in deterring witness from voting for Mr. Somers, *Feesey* 1775-1786. 1827-1863.—Witness has no recollection of the presence of the Rev. Mr. O'Gara at the booth, *Coffey* 2155-2158.

See also *Intimidation*, 6.

P.

Philipps, Rev. Mr. Witness proposed Mr. Somers on the hustings, but was prevented from making himself heard by the great uproar and shouting which was commenced on a signal from the Rev. Mr. Philipps, Roman-catholic priest, *McTernan* 374-380.—Particulars relative to priest Philipps and others coming to canvass witness's husband for his vote for Mr. Towneley a few days before the election; witness is not aware of what took place between them on this occasion, *O'Brien* 431-469.—On the Saturday before the election witness was canvassed for his vote by the Rev. Mr. Philipps, when witness told him he should vote on the same side as that of the clergy, *O'Connor* 527-541. 765-769.—Witness denies having told Priest Philipps he intended voting for Mr. Somers, and that the priest dared him to do so on the risk of destruction of life and property, and threatened to denounce him from the altar; if witness made any such statement to Mr. Graham it was incorrect, *ib.* 542-559. 770-775.—Active part taken by the Rev. Mr. Philipps in inducing witness to vote for Mr. Towneley, *O'Dowd* 1289 *et seq.*; *Feesey* 1758-1774.—Service of the Speaker's warrant on the Rev. Mr. Philipps, as witness believed he was implicated in treating on behalf of Mr. Towneley, *Graham* 1227, 1228. 1236-1249.—The Rev. Mr. Philipps was directed by witness to withdraw from too close a proximity to the voters on polling, as the agent of Mr. Somers stated that he influenced their votes, *Coffey* 2144-2154. 2160.

See also *Alter Denunciations*. *Intimidation*, 3. 5. *McDonough, Frank*.

Piano. Circumstance of John Haggarty having removed a piano from the house of Patrick O'Brien on the day before the polling; witness cannot say what it was worth, *Brennan* 1864-1872.

Poll Books. Witness produces the poll books for the election; remarks to the effect that they were received at the Hanser-office, Dublin, in the usual way, *Fitzsimon* 2-28.

Posting Expenses. The entire amount paid for posting on behalf of Mr. Towneley was 66 l., *Guthrie* 2833-2836. 2865-2874. 2910. 2944, 2945.

Report, 1862-63—continued.

Press, The (Sligo). Witness subscribed 5*l.* yearly for the Liberal newspaper in Sligo, of which Mr. Verdon is proprietor, and which supported witness's return at the late election; he also paid a sum of 50*l.* for the publication in it from time to time of certain neutral news as being likely to benefit the paper, *Towneley* 2388-2407. 2504-2521.

Priests. Large number of friends of Mr. Towneley who addressed the people from the window of his lodgings; there were several Roman-catholic clergymen among them, *Leach* 177-187—Evidence relative to the excitement got up against witness by the Roman-catholic clergymen; large number of witness's voters who were thus prevented from voting for him, *J. P. Somers* 266-297—Part taken by the priests in getting the voters up to the poll, and otherwise in support of Mr. Towneley, *M'Ternan* 397-413—Active part taken generally by the Roman Catholic priests on behalf of Mr. Towneley, *M. Somers* 1235-1250; *Feeney* 1742-1860—Violent character of the opposition of the priests to the return of Mr. Somers, *Graham* 2011-2016, 2022—Witness considers that, from the promises he received, he should have been returned by a majority of 40 but for the influence of the priests, &c., *J. P. Somers* 2026-2035—How far witness can speak to the part taken generally on his behalf by the priests, *Towneley* 2530-2543—Resolution of the Committee that the influence of the Roman-catholic priests was exercised in a manner inconsistent with their duty as ministers of religion, and destructive of freedom of choice on the part of the voters, *Ev.* p. 97.

See also Abduction of Voters. Altar Denunciations. Canvass of Electors. Intimidation, &c. Undue Influence.

Printing Expenses. Mr. Verdon was paid 65*l.* and Mr. Gilmore 20*l.* for printing, *Getkin* 2822, 2833. 2859-2864. 2910.

Proceedings of the Committee. Résumé thereof, de die in diem, Rep. iii-vii.

R.

Recriminatory Evidence. Claim made by the counsel for the Sitting Member to enter into the case of recrimination against the petitioners considered by the Committee, *Ev.* p. 97—Abandonment of this claim, *ib.* 98.

Registration Agents, &c. Since the election of 1848 witness has not retained any agents in Sligo for the purpose of looking after the registration, nor has he disbursed any money in the town other than that subscribed to the newspaper, *Towneley* 2432-2636.

Requisition to Mr. Towneley. Particulars relative to the requisition got up from a number of the electors to Mr. Towneley, to come forward as a candidate at the election; witness was solicited by Mr. Verdon to sign the requisition, *O'Donnell* 191-194—It was rumoured that the signatures of several of Mr. Somers's party had been forged by boys to the requisition to Mr. Towneley, *Graham* 2000-2005—In 1852, witness received a requisition from the mayor, containing 147 signatures, inviting him to stand for the borough; all sects of religion were included in his supporters, *Towneley* 2260-2272. 2630, 2631—Witness received the requisition about three months before the election, but he had previously anticipated becoming a candidate, *ib.* 2333. 2353 *et seq.*

Returning Officer. See Verdon, Mr.

Riots. See Assaults.

Rooney, Hugh. Promise of H. Rooney to support Mr. Somers, though he ultimately polled for Mr. Towneley, *Graham* 1968, 1969.

Rooney, Michael. This voter promised to support Mr. Somers, but voted for Mr. Towneley, *Graham* 1966, 1967.

S.

Smith, Thomas. See Bribery, 1.

Somers, John Patrick. (Analysis of his Evidence.)—Petitioner in the present case; was a candidate at the last Sligo election; has represented the borough for fifteen years, 262-265—Evidence relative to the excitement got up against witness by the Roman-catholic clergymen; large number of witness's voters who were prevented by the clergy from voting for him, 266-297—Particulars as to the Rev. Dr. Philipps having denounced witness from the altar of the chapel of Sligo, and consigned all the electors who supported him to hell, and all who supported Mr. Towneley to heaven, 269-279—Abusive language bestowed on witness by the Rev. Mr. O'Gara on the polling day, 292-296—Promise made to witness, by Mr. O'Donovan, of his vote at the election, 298, 299—Mr. Towneley was invariably accompanied by Mr. Stonor and Mr. Philipps during his canvass, 302, 303—Particulars relative to witness and his friends having been

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Somers, Michael. (Analysis of his Evidence).—Tailor at Sligo; voter for the borough, 814-816.—Promised to vote for Mr. Somers, but eventually polled for Mr. Towneley, 817, 818, 821-824.—The fear of violence being committed on witness and his property was the main cause in inducing him to support Mr. Towneley, 819, 820, 1006-1049, 1155-1174.—Mr. Towneley and some of his party canvassed witness, but he declined to vote for him, 825-831.—Circumstances of the Rev. Mr. White having told witness that he would be compensated if he voted for Mr. Towneley, 831-840, 1175-1184, 1195.—Particulars as to witness having been taken by the Rev. Mr. White to a certain house in Mass-lane, where several of Mr. Towneley's voters were being treated, and where he was detained against his will on the night before the election, and afterwards brought from thence on the polling morning with several others to vote for Mr. Towneley, 841-1032, 1099-1160, 1197-1200.

Explanation as to witness having signed a requisition to Mr. Towneley to come forward as a candidate, 1033-1043.—Witness denies having stated that he was neither intimidated, bribed, nor treated in voting for Mr. Towneley, 1044-1049.—Circumstances connected with the attendance of witness before the Committee; he never told Mr. Hurst, of Sligo, or any one else, that he was promised money, or a free passage to America, provided he gave certain evidence against Mr. Towneley, 1050-1098, 1201-1206.—Promises made to witness by certain parties, that he would be compensated for voting for Mr. Towneley; the sum of 20 l. or 23 l. was named by John Burns and James Ward, 1175-1196.

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Speaker's Warrant. See *Brown, Dr.* *White, Rev. Mr.*

Stonor, Mr. In the spring of 1852, when a dissolution was expected, Mr. Stonor was at Sligo, addressing the people, and advocating Mr. Towneley's interest, and thus preparing the way for him, *O'Donovan* 100-107.—Witness frequently saw Mr. Stonor out canvassing with Mr. Towneley at the election, *Graham* 117, 118, 123.—Observations showing the very active part taken by Mr. Stonor at the last election, in support of Mr. Towneley; witness frequently saw them together, *Leach* 165-176.—Mr. Stonor was agent for Mr. Towneley at the last election, *J. P. Somers* 316-324.—Active part taken by Mr. Stonor on the polling day; there was no undue interference on his part on the declaration of the poll, *Coffey* 2185-2214.

Evidence to the effect that Mr. Stonor, witness's counsel, was not authorised to act as agent in any way; active part nevertheless taken by him on behalf of witness, *Towneley* 2287-2294, 2316 *et seq.*—At the election of 1848 Mr. Stonor had authority to disburse money for witness, but in 1852 no such discretion was given him, though he was occasionally entrusted with sums to be conveyed to Mr. Walker and Mr. Gethin, *ib.* 2323-2347, 2499-2505, 2563-2595.—Part taken by Mr. Stonor as counsel to Mr. Towneley previous to and during the election; witness was not retained as agent by him, *Gethin* 2701-2762.—He occasionally canvassed for Mr. Towneley, and took an interest in the result, *ib.* 2723-2751.—Circumstance of a sum of 50 l. being mentioned in the expenses as liable to be paid to Mr. Stonor for his services as counsel, *ib.* 2836, 2847-2856, 2895, 2910.

See also *Abduction of Voters.* *Agents.* *Bribery, 2.* *Canvass of Electors.*

T.

Tally Room. Witness's office was used as a tally-room for Mr. Towneley's voters on going to the poll, *Gethin* 2672-2679.

Tampering with Witnesses. Circumstances connected with the attendance and evidence of witness before the Committee; he never told Mr. Hurst, of Sligo, or any one else, that he was promised money, or a free passage to America, provided he gave certain evidence against Mr. Towneley, *M. Somers* 1050-1098. 1201-1206.

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Towneley, Charles, M.P. (Analysis of his Evidence.)—Sitting Member for Sligo, 2356, 2357—Was also returned at the election of 1848, but unsent on petition, 2258, 2259—In 1852 witness received a requisition from the mayor containing 147 signatures, inviting him to stand for the borough; all sects of religion were included in his supporters, 2260-2272. 2630, 2631—Witness arrived in Sligo four or five days before the election, and was met, on entering, by the principal people of the place, 2273, 2274. 2281-2285—Mr. Gethin was appointed his legal agent, 2275. 2286—Mr. Walker was also appointed to act for witness, 2276—Evidence to the effect that Mr. Stonor, witness's counsel, was not authorized to act as agent in any way; active part, nevertheless, taken by him on behalf of witness, 2277-2280. 2287-2294. 2316 *et seq.*—Implicit directions given by witness to Mr. Gethin and others to discountenance all illegal acts, 2286—Manner in which his canvass was conducted, 2287-2291. 2450-2473.

On the polling day there was a slight interruption at the booths for five or ten minutes, 2295-2297—Mr. Somers was frequently at the booths and spoke to the voters without being obstructed, 2298-2300—The entire expenses of witness's election were about 600*l.*; manner in which this sum was disbursed, 2301-2303. 2474-2498—Mention of several voters who promised to support witness; it was stated that some of them were apprehensive of violence from Mr. Somers's party, 2304-2315—Authority of Mr. Stonor to act for witness at the election of 1848; money entrusted to him on that occasion, 2323-2347—Witness received the requisition to stand at the election of 1852 about three months beforehand, but he had previously anticipated becoming a candidate, 2333. 2353 *et seq.*—Circumstance of Mr. Stonor having paid 100*l.* to Mr. Alderman O'Donnovan out of witness's funds on account of a former claim against him; explanation on this point, 2366-2387. 2622-2629.

Witness subscribes 5*l.* yearly for the Liberal newspaper in Sligo, of which Mr. Verdon is proprietor, and which supported witness's return at the late election; he has also paid a sum of 50*l.* for the publication in it from time to time of certain neutral news as being likely to benefit the paper, 2388-2407. 2504-2521—Witness was not present when the Rev. Mr. Philipps denounced from the altar Mr. Somers's public character, nor is he aware that he used any undue influence at the election, 2520-2529. 2596-2599. 2637, 2638—How far witness can speak to the part taken generally on his behalf by the priests, 2530-2543—Statements to the effect that Mr. Walker was retained as agent by witness and not by Mr. Stonor, 2550-2584—Since the election of 1848, witness has not retained any agents in Sligo for the purpose of looking after the registration, nor has he disbursed any money in the town other than that subscribed to the newspaper, 2632-2636.

Towneley, Charles. Resolutions of the Committee, viz., that Charles Towneley was not duly elected a Burgess to serve in the present Parliament for the borough of Sligo, *Ex p. 96*—That the said Charles Towneley was, by his agents, guilty of bribery and treating at the election, *ib.*—That it was not proved that the said acts of bribery and treating were not known to or sanctioned by the said Charles Towneley, *ib.*—See also *Bribery*, 2.

Treating. Several of those who voted for Mr. Towneley were treated at a house in Mass-lane on the night before the election; belief that Mr. Gethin was present, *M. Somers* 948-977—Particulars as to witness having been made drunk by Tom Ward and others, and taken to different houses, where he and other voters were detained and treated, and from whence he was brought on the polling morning to vote for Mr. Towneley, *Cowley* 1492 *et seq.*—Mr. Gethin, Mr. Towneley's agent, was at the house in Mass-lane, where witness spent either the Monday or Tuesday night, *ib.* 1517-1519. 1562-1817. 1930—Witness saw some tea and sugar, but neither meat nor drink taken to the house in Mass-lane, where some of Mr. Towneley's voters were, *Brennan* 1873-1877—Particulars with respect to the refreshments and drink provided at the houses in Mass-lane for the voters of Mr. Towneley, *M. Somers* 2038-2080. 2093-2100—Witness is not positive that Mr. Gethin was present in Mass-lane at any time, *ib.* 2081-2092—A person of the name of Henry ordered in the provisions, &c., for the voters, *ib.* 2093-2100.

Denial of the statements that witness was in an unoccupied house in Mass-lane, where
Mr.

Treating—continued.

Mr. Towneley's voters assembled at the time of the election; he has not been in it for the last two years, *Getkin* 2646-2648.—Evidence to the effect that witness is not cognisant of any arrangement for the use of this house for Mr. Towneley's voters; he has never paid anything for the use of it, *ib.* 2649-2655, 2660-2671.—Nothing has ever been paid by witness for the treating of Mr. Towneley's voters in Mass-lane, nor has any claim been made upon him for the same, *ib.* 2809-2818, 2954-2957.

Resolutions of the Committee, viz., that Charles Towneley was, by his agents, guilty of treating at the late election for the borough of Sligo, *En. p.* 96.—That it was not proved that the said acts of treating were known or sanctioned by the said C. Towneley, *ib.*

See also *White, Rev. Mr.*

U.

Undue Influence. Enumeration of several voters who promised to support Mr. Somers but voted for Mr. Towneley; influence exercised over them by the priests, &c., *Graham* 1935-1977, 2006-2025.—Resolution of the Committee that the influence of the Roman-catholic priests was exercised in a manner inconsistent with their duty as ministers of religion, and destructive of freedom of choice on the part of the voters, *En. p.* 97.

See also *Altar Denunciations. Bribery. Compulsory Voting. Intimidation.*
O'Gara, Rev. Mr. Philipps, Rev. Mr. Treating.

V.

Verdon, Mr. Active part taken by Mr. Verdon at the election of 1848, and also at the general election of 1852, in support of Mr. Towneley, *O'Donovan* 108-112, 195-197, 228 *et seq.*—A claim of Mr. Verdon for 50 l., as returning officer at the election, is included in witness's accounts of the expenses of Mr. Towneley; this is over and above 65 l. paid him for printing expenses, *Getkin* 2829-2831, 2838, 2852-2862, 2896, 2897, 2910.—See also *Press, The (Sligo).*

Void Election. Resolution of the Committee that the general election of 1852 for the borough of Sligo was a void election, *En. p.* 98.

W.

Walker, Mr. Mr. Walker was appointed to act for witness as one of his agents, *Towneley* 2276.—Statement to the effect that Mr. Walker was retained by witness himself and not by Mr. Stonor, *ib.* 2550-2584.

Walters, Patrick. This voter promised to support Mr. Somers, but voted for Mr. Towneley, *Graham* 1971, 1972.

Ward, Thomas. See *Bribery, l. Treating.*

White, Rev. Mr. Part taken by this priest in inducing witness to vote for Mr. Towneley, *M. Somers* 831 *et seq.* 1175-1184, 1208, 1209.—Unsuccessful attempts of witness to serve the Rev. Mr. White with a Speaker's warrant; belief that he has absconded to avoid the service of the warrant, *Graham* 1210-1223, 1245-1255.—Grounds for the conclusion that Mr. White rather than Mr. Philipps paid for the treating of Mr. Towneley's voters in Mass-lane, *ib.* 1229-1249.—Examination relative to the non-attendance of the Rev. Mr. White before the Committee; possible cause of his absence; witness is no party to it, *Getkin* 2773-2806, 2958.

See also *Abduction of Voters. Bribery, l.*

Writ, &c. Witness produces the writ, precept, and return of the borough of Sligo for the general election of 1852, *Naylor l.*

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SELECT COMMITTEE
ON THE
SLIGO ELECTION PETITION.

*Ordered, by The House of Commons, to be Printed,
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